



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Thursday, the Sixth day of October Two Thousand Sixteen

PRESENT

The Hon`ble Mr.Justice B.GOKULDAS

CRL MP (MD) No.2872 of 2016

IN

CRL A (MD) No.343 of 2015

ULAGANATHAN

... PETITIONER/APPELLANT/
ACCUSED

Vs

STATE REP. BY ITS
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
FORT STATION, TRICHY CITY,
CRIME NO. 22/2013.

... RESPONDENT/RESPONDENT /
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to SUSPEND THE SENTENCE imposed on the Petitioner by the II Additional District Judge Sessions Judge (FAC) Mahila Court, Tiruchirapalli made in S.C.No.6/2013 dated 21.01.2014 and release the Petitioner on bail pending the above Criminal Appeal and thus render justice.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S N.ANANDAKUMAR, Advocate for the petitioner and of Mr.P.KANDASAMY, Government Advocate (Crl.side) on behalf of the Respondent, the court made the following order:-

The first accused in S.C.No.6 of 2013, on the file of the learned Additional District Judge Sessions Judge (FAC) Mahila Court, Tiruchirapalli, while challenging his conviction and sentence, seeks appeal bail under Section 389 (1) Cr.P.C.

2. After trial, he has been convicted and sentenced as under:

Conviction	Sentence
Section 342 I.P.C.	1 year R.I. + Fine Rs.500/-, i/d one month S.I.
Section 506(ii) I.P.C.	5 years R.I. + Fine Rs.500/-, i/d one month S.I.
Section 6 of Protection of Children from Sexual Offences Act, 2012	10 years R.I. + Fine Rs.1,000/- i/d three months S.I.



3. Fine amount has been paid.

4. The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the Trial Court and they are required to be revised.

5. The learned Government Advocate (Criminal Side) submitted that appreciating the evidence adduced, the Trial Court has rightly convicted and appropriately sentenced the petitioner.

6. In the facts and circumstances, perusing the impugned Judgment and the materials on record, I am of the view that certain eminently arguable points are involved in this criminal appeal. They are required to be examined in detail in the main criminal appeal. Further, it will take some time for the disposal of the criminal appeal. Further, now the petitioner was confined at Central Prison, Trichy, by which, the necessity to consider this petition arises. On considerations, ordered as under:

- (i) Appeal bail granted.
- (ii) Substantial sentence alone is suspended on condition that the petitioner shall execute a bond for Rs.10,000/- (Rupees ten thousand only) with two sureties for the likesum each to the satisfaction of the learned II Additional District Judge, Sessions Judge, Mahila Court, Tiruchirapalli.
- (iii) The petitioner shall appear before the concerned Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-
06/10/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE II ADDITIONAL DISTRICT JUDGE, SESSIONS JUDGE (FAC)
MAHILA COURT, TIRUCHIRAPALLI
- 2 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, FORT STATION, TRICHY CITY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S N.ANANDAKUMAR Advocate SR.No.60325

ORDER IN

CRL MP(MD) No.2872 of 2016 IN

CRL A(MD) No.343 of 2015

Date :06/10/2016