

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH AT NAGPUR

CRIMINAL APPLICATION [APPA] NO.929 OF 2017

IN

CRIMINAL APPEAL NO.541 OF 2017

[Madan Tikaji Kokode .vs. State of Maharashtra]

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions
and Registrar's orders

Court's or Judge's orders

CORAM : KUM. INDIRA JAIN, J.

DATED : NOVEMBER 14, 2017.

Heard Shri Ananta Ramteke, learned counsel for applicant and Shri R.S. Nayak, learned APP for non-applicant/State.

By this application, applicant is seeking suspension of substantive sentence of imprisonment awarded by the learned Special Judge, Warora vide judgment and order dated 6.7.2017 in Special (Atrocity) Case No.6/2011 thereby convicting the applicant of the offence punishable under section 377 read with section 511 of the Indian Penal Code and sentencing him to suffer rigorous imprisonment for two years with fine of Rs.500/- in default simple imprisonment for three months.

Applicant was on bail during trial. After conviction, the trial court has suspended the substantive sentence of imprisonment.

Considering the short term sentence awarded by the trial court and as he was on bail during trial, this court is inclined to allow the

application. Hence, the following order :

ORDER

i) The execution of substantive sentence of imprisonment is suspended during pendency of appeal on applicant's furnishing PB & SB of Rs.15,000/- each to the satisfaction of the trial court.

ii) Criminal Application (APPA) No.929/2017 is allowed and disposed of.

JUDGE

Gulande