

Crl.M.P.No. 7401 of 2017**in****Crl.A.No.317 of 2017****V.BHARATHIDASAN, J.,**

The petitioners seek suspension of their sentence of imprisonment in Crl.M.P.No.7401 of 2017.

2. The petitioners faced trial in S.C.No.276 of 2015 on the file of the Special Court for Exclusive Trial of Cases Registered under The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Villupuram, and the trial Court, by a judgment dated 19.05.2017, convicted and sentenced the petitioners as detailed below :

<i>Accused</i>	<i>Conviction under Section</i>	<i>Sentence</i>
A1 to A11	148 IPC	One year S.I. each and to pay a fine of Rs.1000/- each, in default, to undergo 3 months S.I. Each.
A1	352 IPC	Three months S.I.and to pay a fine of Rs.500/- , in default, to undergo 23 days S.I.
A1 to A11	323 IPC	One year S.I. each and to pay a fine of Rs.1000/- each, in default, to undergo 3 months S.I. Each.
A1 to A11	3(1)(x) of SC/ST (POA) Act	One year S.I. each and to pay a fine of Rs.1000/- each, in default, to undergo 3 months S.I. Each.
A1 to A11	506(i) IPC	One year S.I. each and to pay a fine of Rs.1000/- each, in default, to undergo 3 months S.I. Each.

The trial Court ordered the sentences to run concurrently.

3. Challenging the above said conviction and sentence, the present appeal has been filed along with this petition for suspension of sentence.

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5. The learned counsel appearing for the petitioners submit that there are lot of contradiction in the evidence of witnesses and there is also no evidence to prove the charge under Section 3(1)(x) of the SC/ST(POA) Act 1989.

6. Heard the learned counsel appearing for the petitioners and perused the impugned judgments and the materials available on record.

7. Taking into consideration of the submission of the learned counsel appearing for the petitioners, since there are some arguable points involved in the appeal, I am inclined to suspend the substantive sentence of imprisonment alone.

8. Accordingly, pending appeal, **substantive sentence of imprisonment alone is suspended** and the petitioners are released on bail on each of them executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each with two sureties each for a like sum to the satisfaction of the Sessions Judge, Special Court for Exclusive Trial of Cases Registered under The Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989, Villupuram, with further condition that they shall appear before the said court on the first working day of every month at 10.30 a.m., until further orders.

15.06.2017

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