

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Third day of July Two Thousand Eighteen

PRESENT

The Hon`ble Mr Justice RMT. TEEKAA RAMAN

CRIMINAL MISCELLANEOUS PETITION No.7017 of 2018

IN CRL A.50/2018

K.DEIVASIGAMANI

[PETITIONER]

Vs

1 STATE REP. BY
THE INSPECTOR OF POLICE,
N1, ROYAPURAM POLICE STATION,
ROYAPURAM, CHENNAI - 13.
CR.NO.209 OF 2015

[RESPONDENTS]

2 THE SUPERINTENDENT OF PRISON,
CENTRAL PRISON-I,
PUZHAI, CHENNAI.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.50/2018 on the file of the High Court, the High Court will be pleased to suspend the sentence and enlarge the petitioner on bail in SC NO.286 of 2015 on the file of Special Court for cases under the Protection of Children from Sexual Offences Act 2012, (POCSO Act 2012) Mahila Court, Chennai - 104, judgment dated 12.12.2017 till pending disposal of this Crl.A.NO.50 of 2018 filed before this Honourable Court.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.50/2018 on the file of the High Court and upon hearing the arguments of M/S.S.SARAVANAN, Advocate for the petitioner and of MR.R.SURYA PRAKASH, GOVERNMENT ADVOCATE [CRL.SIDE] on behalf of the Respondent the court made the following order:-

Pursuant to the order dated 26.02.2018, the Medical Officer, Central Prison-1 (Convict), Puzhai, Chennai has addressed a letter to the Superintendent, Central Prison-1 (Convict), Puzhai, Chennai which was placed before me through the learned Public Prosecutor, wherein, it is stated that the petitioner was admitted and treated at Stanley Hospital for the ailment and advised CAG (Coronary Angiogram) Date of Admission:15.04.2018. Date of Discharge: 26.04.2018. On 15.06.2018, he was treated at G.O.H (Govt.Opthal Hospital, Egmore) for Non-Proliferative Diabetic Retinopathy (NPDR)

with clinically significant Macular Edema (CSME) by Ophthalmologist and advised to continue treatment and review after few weeks and he may be considered for another course of treatment if necessary. USG (Ultra Sonography of Abdomen and KUB done on 07.12.2017 at Aara Scans shows bilateral grade-1 medical renal disease, mild splenomegaly, mild diffuse cystitis, prominent hepatic veins and intra hepatic IVD, Minimal Pleural effusion.

2. Considering the medical grounds of the petitioner, this Court is of the view that the petitioner herein may be granted the relief of suspension of sentence.

3. Accordingly, pending disposal of the appeal, the substantive sentence of imprisonment alone is suspended and the petitioner is directed to be enlarged on bail on condition that the petitioner shall execute a bond in a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties each for a like sum to the satisfaction of the trial Court and on further condition that the petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m.,

4. The father of the petitioner is directed to file details regarding the medical health condition of the petitioner once in a month before the trial Court.

-sd/-
03/07/2018

This order, on being produced, be punctually observed and carried into execution by all concerned

TRUE COPY

Sub-Assistant Registrar (Statistics/C.S.)
High Court, Madras - 600 104.

TO

1 THE MAHILA COURT,
CHENNAI-104.

2 THE INSPECTOR OF POLICE,
N1, ROYAPURAM POLICE STATION,
ROYAPURAM, CHENNAI - 13.

3 THE SUPERINTENDENT OF PRISON,
CENTRAL PRISON-I, PUZHAI, CHENNAI.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1C.C. to M/S.S.SARAVANAN Advocate on payment of necessary
charges in SR.NO. 12162

Order

in
CRL MP.7017/2018

in
CRL A.50/2018

Date :03/07/2018

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MLT-05/07/2018