



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

Friday, the Fourteenth day of September Two Thousand Eighteen

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN

CRL MP (MD) No.7018 of 2018
IN
CRL A (MD) No.406 of 2018

K.KALEESWARAN

... PETITIONER/ APPELLANT/
SOLE ACCUSED

Vs

1 STATE REP.BY
THE DEPUTY SUPERINTENDENT OF POLICE,
KAMUDHI SUB DIVISION.
IN CRIME NO.55/2016
(ON THE FILE OF THE PERUNALI POLICE STATION)

2 KADARKARAI ... RESPONDENTS/ RESPONDENTS

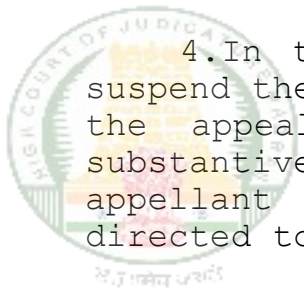
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence imposed upon the petitioner by the Learned Principal District and Sessions Judge, Ramanathapuram in Spl.S.C.No.31/2017 order dated 02/08/2018.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.C.M.ARUMUGAM, Advocate for the petitioner and of Mr.A.ROBINSON, Government Advocate(Crl.Side) for R1, While admitting the CRL.A., the court made the following order:-

Heard the learned counsel on either side.

2.The petitioner herein is convicted for to undergo one year rigorous imprisonment and also imposed to pay a sum of Rs.1,000/- in default to undergo simple imprisonment for one month and to undergo five years and to pay a sum of Rs.15,000/- as fine in default to undergo simple imprisonment for six months for the offences under Sections 294(b), 323 IPC and Section 3 (1) (r) (s) of the Schedule Caste and Scheduled Tribes (POA) Amendment Ordinance 2014. Hence, the appeal.

3.During trial, he was on bail. He seeks suspension of sentence pending disposal of the appeal. This Court has admitted the appeal today (14.09.2018), since there are some arguable points available for the appellant / petitioner to canvas the appeal.



4. In the light of the above fact, this Court is inclined to suspend the substantive sentence of imprisonment pending disposal of the appeal. Accordingly, this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner / appellant alone is suspended and the petitioner / appellant is directed to be enlarged on bail, on the following conditions:

"The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Ramanathapuram and on further condition that the petitioner shall report before the concerned Court on the first working day of every English calendar month at 10.30 a.m., until further orders."

sd/-
14/09/2018

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1. THE PRINCIPAL DISTRICT AND SESSIONS JUDGE,
RAMANATHAPURAM.
2. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
3. THE DEPUTY SUPERINTENDENT OF POLICE,
KAMUDHI SUB DIVISION.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP (MD) No.7018 of 2018
IN
CRL A (MD) No.406 of 2018
Date : 14/09/2018

MS/VR-MMS/SAR-3/19.09.2018/2P.5C