

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

CRIMINAL APPEAL NO.95/2019

Jugal Vilas Madavi and anr

..VS..

State of Mah., thr. P.S.Ghatanji, Taluka Ghatanji, District Yavatmal
and anr

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

Court's or Judge's Order

.....
Shri S.I.Ghatte, Counsel for the appellants.

CORAM : V.M.DESHPANDE, J.

DATED : FEBRUARY 12, 2019.

Heard learned counsel Shri S.I.Ghatte for the appellants. **ADMIT.** Learned Additional Public Prosecutor Mrs.S.V.Kolhe waives service on behalf of the State.

Criminal Application (APPA) No.143/2019

1. This is an application for suspension of jail sentence and for grant of bail.
2. The applicants were convicted on 14.1.2019 by learned 3rd Additional Sessions Judge, Yavatmal in Special (POCSO) Case No.46/2017.
3. Though the applicants were acquitted by learned Judge of the Court below of offence under Section 8 of the Protection of Children from Sexual Offences act, 2012, they were convicted for offences under Sections 341, 354-D,

.....2/-

and 354-A read with Section 34 of the Indian Penal Code and directed to suffer jail imprisonment for various durations and longest duration is of 2 years.

4. Learned counsel for the applicants submits that the applicants were on bail during the Trial as the said can also be seen from the impugned judgment. He submits that the applicants have already deposited fine amount.

5. In view of the above, I pass following order:

ORDER

(i) The criminal application is allowed.

(ii) The substantive jail sentence imposed upon the applicants on 14.1.2019 by learned 3rd Additional Sessions Judge, Yavatmal in Special (POCSO) Case No.46/2017 shall remain suspended during the pendency of the present appeal.

(iii) Applicants-Jugal Vilas Madavi and Sunil Ashok Chavde be released on bail on they executing P.R.Bond in the sum of Rs.20,000/- with one solvent surety of the like amount.

(iv) Both the applicants are directed to mark their presence at Police Station Ghatanji, Taluka Ghatanji, District Yavatmal once in three months and shall maintain the diary showing their presence at the police station.

(v) The applicants shall remain personally present before this

.....3/-

Court at the time of final hearing of the present appeal.

(vi) With this, the criminal application stands allowed and disposed of accordingly.

JUDGE

!! BRW !!

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