

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Twenty Ninth day of July Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.10314 of 2019

IN CRL.A.NO.468 of 2019

1 RAVANAN
2 RAJADURAI

[PETITIONERS/APPELLANT]

Vs

STATE REP. BY
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARNI, TIRUVANNAMALAI DISTRICT,
CRIME NO.20/2015.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the affidavit filed therewith the High Court will be pleased to

(i) To Suspend the Execution of the Sentence convicted and Judgement dated 06.07.2019 passed in Special Sessions Case No.22/2016 on the file of Fast Track Mahila Court Judge, Tiruvannamalai pending disposal of main Crl.A.No.468 of 2019.

Order : This petition coming on for orders upon perusing the petition and the filed in support thereof and upon hearing the arguments of M/S.DR.G.KRISHNAMURTHY, Advocate for the petitioner, and of PUBLIC PROSECUTOR, on behalf of the Respondents, the court made the following order:-

This petition is filed seeking to suspend the sentence imposed on the petitioners by the Sessions Judge (Fast Track Mahila Court), Tiruvannamalai, in Spl.S.C. No.22 of 2016 on 06.07.2019 and to enlarge the petitioners on bail.

2. The petitioners, who were accused in Spl.S.C. No.22 of 2016 before the Sessions Court (Fast Track Mahila Court), Tiruvannamalai, were convicted and sentenced on 06.07.2019 as follows:

Accused	Provision under which convicted	Sentence
Ravanan	354-A IPC (4 counts)	Fine of Rs.1,000/-, in default to undergo one month imprisonment.
	12 of the Protection of Children from Sexual Offences Act, 2012 (in short "the POCSO Act")	One year simple imprisonment and fine of Rs.1,000/-, in default to undergo three months imprisonment.
Rajadurai	354-A IPC (4 counts)	Fine of Rs.1,000/-, in default to undergo one month imprisonment.
	12 of the POCSO Act	One year simple imprisonment and fine of Rs.1,000/-, in default to undergo three months imprisonment.

3. The learned counsel for the petitioners submitted that the Trial Court has suspended the sentence under Section 389 (3) Cr.P.C. for a period of one month.

4. The petitioners have raised substantial grounds in the appeal which require detailed appraisal. Further, the appeal is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the petitioners are entitled to the relief of suspension of sentence and bail.

5. Accordingly, the substantive sentence and bail is granted on the following conditions:

(i) The petitioners shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioners are ordered to be released on bail on they executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Sessions Court (Fast Track Mahila Court), Tiruvannamalai.

(ii) The petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the the Sessions Court (Fast Track Mahila Court), Tiruvannamalai, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) The petitioners shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if they are not able to appear before the Trial Court on any day, they shall make arrangements to file an application under

Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of their absence, as directed by the Trial Court.

-sd/-
29/07/2019

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 FAST TRACK MAHILA COURT
TIRUVANNAMALAI.

2 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
ARNI, TIRUVANNAMALAI DISTRICT.

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

+1 C.C. to M/S.DR.G.KRISHNAMURTHY Advocate on payment of
necessary charges SR.NO.15575

Order
in
CRL MP.10314/2019
in
CRL.A.NO.468/2019

Date :29/07/2019

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