

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the First day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.10627 of 2019

IN CRL A.487/2019

RAJA

[PETITIONER]

vs

THE DEPUTY SUPERINTENDENT OF POLICE [RESPONDENT]
ULUNDURPETTAI SUB DIVISION,
THIRUNAVAILUR POLICE STATION,
VILLUPURAM DISTRICT.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No. on the file of the High Court, the High Court will be pleased to suspend the sentence and fine imposed on the petitioner/Appellant under Section 147, 506(1) of IPC and Section 3(1)(x) of SC/ST (POA) Act, 1989 by order dated 11.07.2019 in Spl.S.C.No.229/2015 on the file of the Special Sessions Court for SC/ST (POA) Act Cases, villupuram pending disposal of the above criminal Appeal. [CRL.MP.10627/2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.Revision Case No. on the file of the High Court and upon hearing the arguments of M/S.T.K.S.GANDHI, Advocate for the petitioner and of PUBLIC PROSECUTOR on behalf of the Respondent the court made the following order:-

This is a petition to suspend the sentence imposed on the petitioner by the Sessions Judge, Villupuram in Spl.S.C. No.229 of 2015 on 11.07.2019 and to enlarge the petitioner on bail.

2. The petitioner, who was A2 in Spl.S.C. No.229 of 2015 before the Special Sessions Court for the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989 (for brevity "the SC/ST Act"), Villupuram, was convicted under Sections 147 and 506 (I) IPC and Section 3(1)(x) of the SC/ST Act and sentenced to undergo various terms of imprisonment, the maximum being one year of rigorous imprisonment.

3. The learned counsel for the petitioner submitted that the trial court has suspended the sentenced under Section 389(3) Cr.P.C.,

till 09.08.2019.

4. The petitioner has 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 petitioner is entitled to the relief of suspension of sentence and bail.

5. Accordingly, the relief of suspension of sentence and bail is granted on the following conditions:

(i) The petitioner 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 petitioner is ordered to be released on bail on he 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 Special Sessions Court for the SC/ST Act cases, Villupuram.

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Special Sessions Court for the SC/ST Act cases, Villupuram, may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) The petitioner 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 he is not able to appear before the Trial Court on any day, he 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 his absence, as directed by the Trial Court.

-sd/-

01/08/2019

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 SPECIAL SESSIONS COURT
FOR THE SC/ST ACT CASES, VILLUPURAM

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF
POLICE, ULUNDURPETTAI SUB DIVISION,
THIRUNAVALUR POLICE STATION, VILLUPURAM
<https://hcservices.ecourts.gov.in/hcservices/>
DISTRICT.

+1 C.C. to M/S.T.K.S.GANDHI Advocate on payment of necessary charges SR.NO. 15924

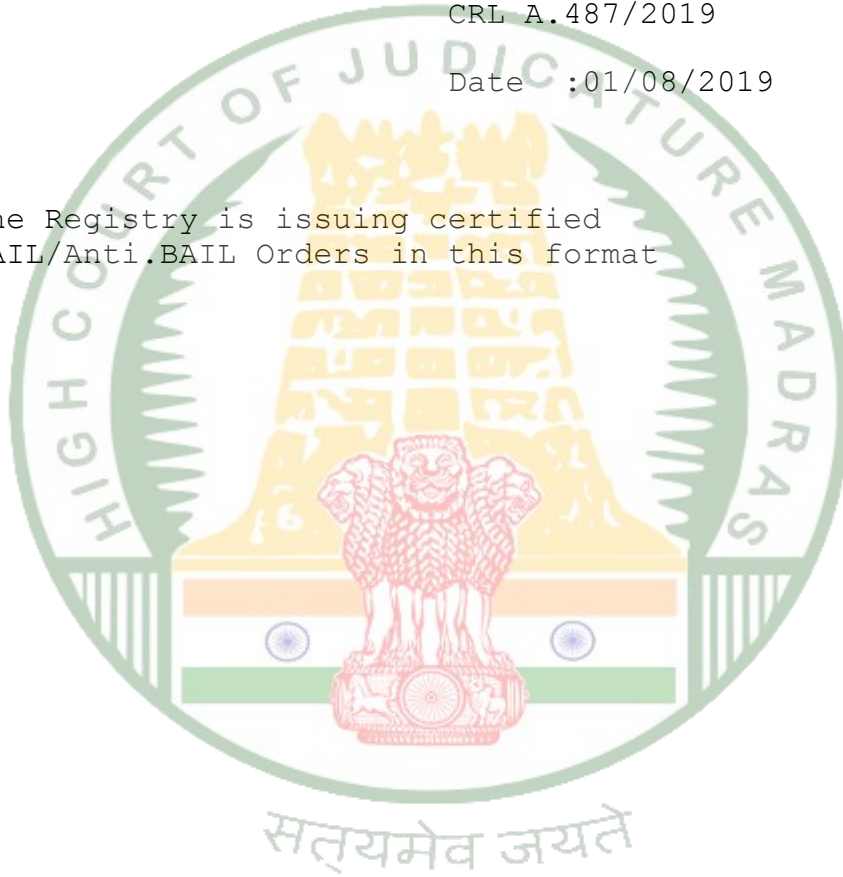
Order

in
CRL MP.10627/2019

in
CRL A.487/2019

Date :01/08/2019

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RD 07/08/2019



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