

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Friday, the Second day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.10727 of 2019

IN CRL A.489/2019

N.KUMAR @ SIVAKUMAR

[PETITIONER / APPELLANT / ACCUSED]

vs

STATE REP.BY

[RESPONDENT]

DEPUTY SUPERINTENDENT OF POLICE,
THIRUKOVILUR SUB DIVISION,
PAGANDA KUTTUSALAI POLICE STATION,
CR.NO.84/2017.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.489/2019 of on the file of the High Court, the High Court will be pleased to suspended the sentence imposed upon him in Special S.C.No.67/2017 dated 23.07.2019 on the file of Special Judge for SC/ST Cases, Villupuram pending disposal of the CRL A.489/2019 [IN CRL.MP.NO.10727 OF 2019]

Order : This petition coming on for orders upon perusing the petition and Memorandum of Grounds in CRL A.489/2019 of On the file of the High Court and upon hearing the arguments of M/S.V.KRISHNAMOORTHY, Advocate for the petitioner, and of M/S. KRITIKA KAMAL P, Govt. Advocate (Crl. Side) on behalf of the Respondents the court made the following order:-

The petitioner has been convicted in Spl.S.C.No.67 of 2017 by the Special Court for SC/ST Act cases, Villupuram on 23.07.2019 of the offences under Sections 324 and 3(1)(r)(s) of SC/ST (POA) Act, 2015 and has been sentenced to various terms of imprisonment, the maximum being one year rigorous imprisonment. Challenging the said conviction and sentence, the petitioner has filed the present appeal. The trial Court has suspended the sentence under Section 389(3) Cr.P.C. for one month.

2.The learned counsel for the petitioner has raised substantial grounds in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future, this Court is of the view that the petitioner herein is entitled to the relief of suspension of sentence.

3.Accordingly, suspension of sentence and bail are granted on the following conditions :

- i. The petitioner shall surrender before the Special Court within a period of two weeks from the date of receipt of a copy of this order and he is ordered to be released on bail on his executing a bond for a sum of Rs.10,000/- (Rupees ten thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive Trial of Cases registered under SC/ST (POA) Act, Villupuram.
- ii. The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Sessions Judge may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity.
- iii. The petitioner shall appear before the Special 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 Special Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Special Court on any other day in lieu of the date of his absence, as directed by the Special Court.

-sd/-
02/08/2019

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.

सत्यमेव जयते

TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
REGISTERED UNDER SC/ST/[POA] ACT,
VILLUPURAM.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 THE DEPUTY SUPERINTENDENT OF POLICE,
THIRUKOVILUR SUB DIVISION,
PAGANDA KUTTUSALAI POLICE STATION

+1C.C. to M/S.V.KRISHNAMOORTHY Advocate on payment of
necessary charges SR NO.16056

Order

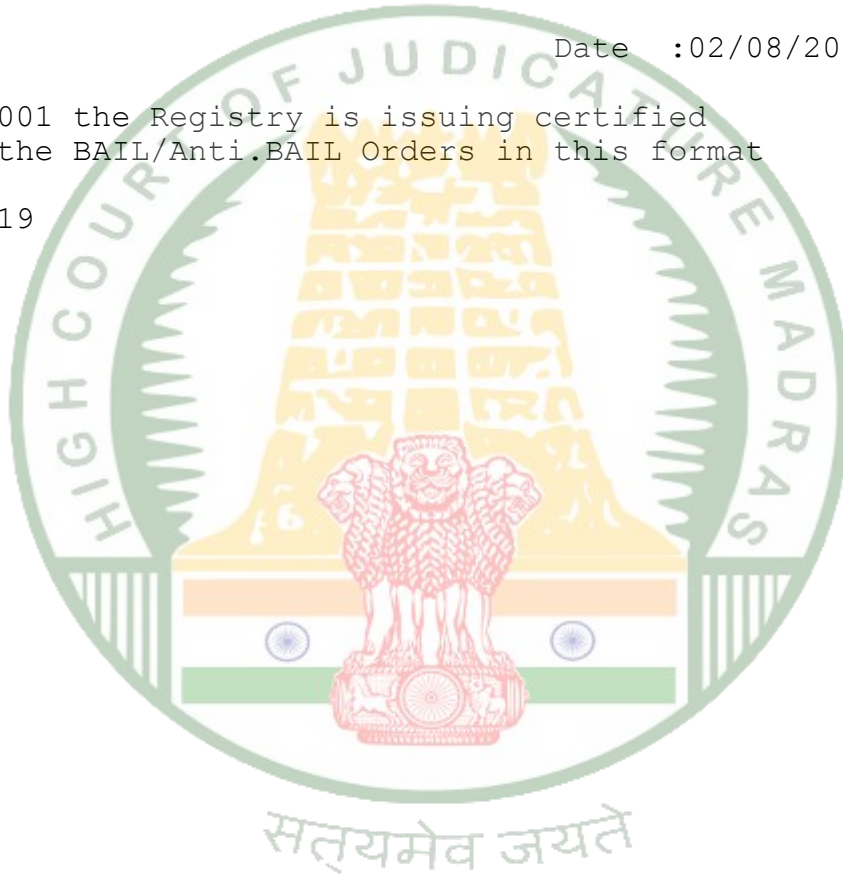
in
CRL MP.10727/2019

in
CRL A.489/2019

Date :02/08/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format

MK:06/08/2019



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