

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Thursday, the Twenty Second day of August Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

CRIMINAL MISCELLANEOUS PETITION No.11703 of 2019

IN CRL A.531/2019

V.RAJAMANI

[PETITIONER]

Vs

STATE REP.BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
HOSUR,
KRISHNAGIRI DISTRICT.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Appeal No.531/2019 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed upon him by the learned Sessions Judge, Fast Track Mahila court, Krishnagiri, Krishnagiri District in Spl.S.C.No.41 of 2016 dated 18.07.2019 u/s.7 r/w 8 of POCSO Act 2012 to undergo 3 years R.I and Rs.1,000/- fine, i/d.1 month R.I and enlarge the petitioner on bail pending Crl.Appeal.[CRL.MP.NO.11703/2019]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl. Appeal No.531/2019 on the file of the High Court and upon hearing the arguments of M/S.M.P.SARAVANAN Advocate for the petitioner and of MR.KRITIKA KAMAL.P Government Advocate[cl.side] on behalf of the Respondent the court made the following order:-

This petition is filed seeking to suspend the sentence imposed on the petitioner, by judgment and order dated 18.07.2019 passed in Special S.C.No.41 of 2016 on the file of the Sessions Court (Fast Track Mahila Court), Krishnagiri.

2. The petitioner, who was an accused in Special S.C.No.41 of 2016 before the Sessions Court (Fast Track Mahila Court), Krishnagiri, was convicted of the offences under Section 7 r/w 8 of the Protection of Children from Sexual Offences Act, 2012 and was sentenced to undergo three years rigorous imprisonment and fine of Rs.1,000/-, in default to undergo one month rigorous imprisonment.

3. Challenging the same, the petitioner has filed the above appeal and suspension of sentence and bail.

petitioner has paid the fine amount and the Trial Court has suspended the sentence under Section 389 (3) Cr.P.C. till 22.08.2019.

5. 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.

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

(i) The petitioner shall surrender before the Trial Court 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), with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Sessions Judge, (Fast Track Mahila Court), Krishnagiri.

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Sessions Judge, (Fast Track Mahila Court), Krishnagiri, 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/-

22/08/2019

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 SESSIONS JUDGE
FAST TRACK MAHILA COURT. KRISHNAGIRI

2 THE PUBLIC PROSECUTOR
<https://hcservices.ecourts.gov.in/hcservices/>
HIGH COURT, MADRAS.

3 STATE REP.BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
HOSUR,
KRISHNAGIRI DISTRICT.

+1 C.C. to M/S.M.P.SARAVANAN Advocate on payment of necessary
charges SR.NO. 17548

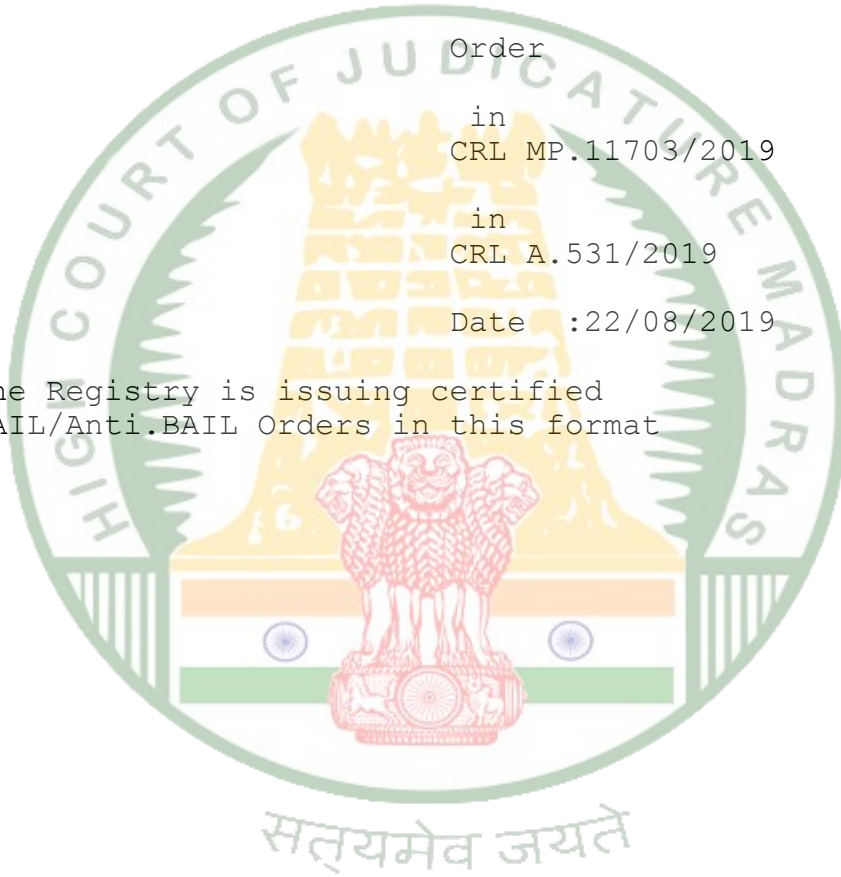
Order

in
CRL MP.11703/2019

in
CRL A.531/2019

Date :22/08/2019

From 7.2.2001 the Registry is issuing certified
copies of the BAIL/Anti.BAIL Orders in this format
RD 22/08/2019



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