

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of January Two Thousand Nineteen

PRESENT

The Hon`ble Mr Justice V. PARTHIBAN

CRIMINAL MISCELLANEOUS PETITION No.15528 of 2018

in CRL.A.NO.730/2018

PURUSHOTHAMAN

[PETITIONER/APPELLANT/ACCUSED]

vs

STATE REPRESENTED BY

[RESPONDENT]

THE INSPECTOR OF POLICE,
VIRUDHACHALAM ALL WOMEN POLICE STATION,
VIRUDHACHALAM,
CUDDALORE DISTRICT.
CR.NO.25 OF 2017.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal APPEAL No.730 OF 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed in Spl.S.C.No.39 of 2018 dated 2.11.2018 on the file of Mahila Court, Cuddalore and enlarge the petitioner on bail pending disposal of the above CRL.A.NO.730/2018.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.730 of 2018 on the file of the High Court and upon hearing the arguments of M/S.R.SANKARASUBBU, Advocate for the petitioner and of Mrs.V.SARATHA DEVI, Government Advocate (Crl.Side) on behalf of the Respondent the court made the following order:-

This miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner in Spl.S.C.No.39 of 2018 dated 02.11.2018 on the file of the Mahila Court, Cuddalore and enlarge the petitioner on bail, pending disposal of the above criminal appeal.

2 On behalf of the petitioner, repeatedly time has been taken, despite strong objections from the learned Government Advocate (Crl.Side) appearing for the respondent police. The petitioner/accused has been convicted and sentenced to undergo rigorous imprisonment for a period of one year with fine of Rs.1000/- in default, to undergo simple imprisonment for a further period of three months for the offence under Section 323 of IPC and to undergo rigorous imprisonment for a period of fourteen years with fine of Rs.50,000/-, in default, to undergo simple imprisonment for a period of two years for the offence Section 4 of Protection of Children from Sexual Offences Act (POCSO).

3 In view of the seriousness of the offences committed by the petitioner herein, this Court does not think fit to entertain the miscellaneous petition seeking suspension of sentence and the same is dismissed.

List the matter on 20.02.2019 'for final hearing'.

-sd/-
29/01/2019

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 MAHILA COURT,
CUDDALORE.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.
- 3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.
- 4 THE INSPECTOR OF POLICE,
VIRUDHACHALAM ALL WOMEN POLICE STATION,
VIRUDHACHALAM,
CUDDALORE DISTRICT.

C.C. to M/S.R.SANKARASUBBU Advocate on payment of necessary charges

WEB COPY

Order
in
CRL MP.15528/2018
in CRL.A.NO.730/2018

Date :29/01/2019

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THS : 04.02.2019
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