

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.06.2020 counsellate

CORAM

THE HONOURABLE MR.JUSTICE N.ANAND VENKATESH

CrI.MP.No. 2017 of 2020
in
CrI.A.No.106 of 2020

Velautham

.. Petitioner

Vs

State represented by
The Deputy Superintendent of Police,
Thirukollur, All Women Police Station,
Thirukoilur, Villupuram District.
(Crime No. 56 of 2014)

.. Respondent

Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C, praying to suspend the sentence imposed in Spl. S.C.No.265 of 2015 dated 26.9.2019 passed by the Special Court of Sessions for SC & ST Act, Villupuram and enlarge the petitioner on bail, pending disposal of the above Criminal Appeal.

For Petitioner : Mr. R. Sankarasubbu

For Respondent : Mr.M.Mohammed Riyaz
Additional Public Prosecutor

O R D E R

This Criminal Miscellaneous petition has been filed seeking for suspension of sentence imposed by the learned Sessions Judge, Special Court of Sessions for SC & ST Act, Villupuram, by judgment dated 26.09.2019 in Spl.S.C.No.265 of 2015.

2.Mr.R.Sankarasubbu, learned counsel appearing for the petitioner submitted that the petitioner has been living with the victim girl even after the alleged incident and recently, she delivered a second child. The learned counsel further submitted that the petitioner has been suffering incarceration from 26.09.2019 onwards till date.

3.The learned Additional Public Prosecutor on instructions submitted that the victim girl delivered her second child some days back.

4.Taking into consideration the facts and circumstances of the case and the long incarceration suffered by the petitioner, this Court is inclined to suspend the sentence imposed by the Court

below, pending disposal of the Criminal Appeal, subject to the following conditions :-

(i) the petitioner shall execute his own bond for a sum of Rs.5,000/- (Rupees Five Thousand Only) before the Superintendent of Prison, Cuddalore.

(ii) the petitioner shall furnish two sureties, out of which one surety shall be a blood relative, to the satisfaction of the learned Judicial Magistrate, Thirukoilur, within a period of 15 days from the date of lifting of lock down period, failing which the bail granted shall stand automatically dismissed.

(iii) the petitioner shall deposit the compensation amount awarded by the trial Court, within a period of four weeks after coming out on bail.

(iv) the petitioner shall report before the trial Court on the first working day of every month at 10.30 a.m., until further orders.

(v) the petitioner shall not move out of Tamil Nadu without the leave of this Court.

6. Accordingly, this Criminal Miscellaneous Petition is ordered.

-sd/-

19/06/2020

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 JUDICIAL MAGISTRATE,
THIRUKOILUR

2 THE SESSIONS JUDGE,
SPECIAL COURT OF SESSIONS FOR SC & ST ACT,
VILLUPURAM

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 DEPUTY SUPERINTENDENT OF POLICE,
THIRUKOILUR, ALL WOMEN POLICE STATION,
THIRUKOILUR, VILLUPURAM DISTRICT.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE.

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

Order

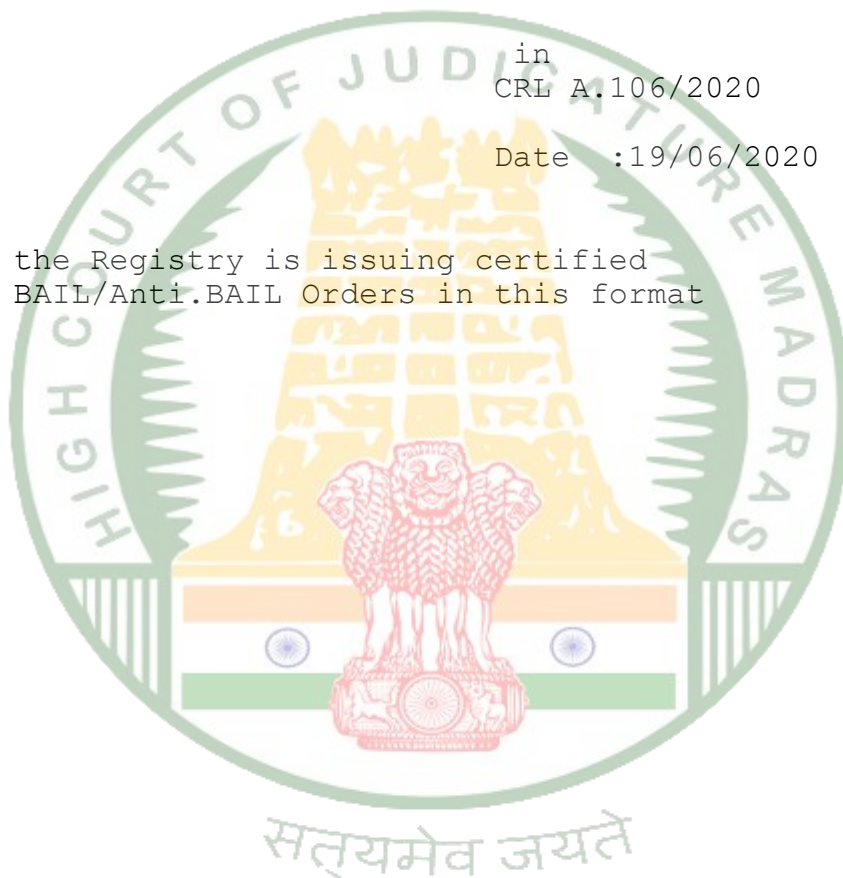
in
CRL MP.2017/2020

in
CRL A.106/2020

Date :19/06/2020

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

RVR 30/06/2020



WEB COPY