



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Twelfth day of June Two Thousand Twenty

PRESENT

The Hon'ble Mr.Justice G.R.SWAMINATHAN

CRL MP(MD) No.3064 of 2020
IN
CRL A(MD) No.172 of 2020

MANIKANDAN

... PETITIONER/APPELLANT/
ACCUSED No.1

Vs

STATE THROUGH
THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRANGAM,
(THILLAINAGAR POLICE STATION CR.NO.485/2017)
TRICHY DISTRICT.

... RESPONDENT/RESPONDENT/
COMPLAINANT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to SUSPEND THE SENTENCE imposed against the Petitioner in SC.No.5 of 2018 dt.9.12.2019 on the file of the Learned Mahila Court, Trichy and enlarge me on bail pending disposal of appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.R.MAHESWARAN, Advocate for the petitioner and of Mr.A.ROBINSON, Government Advocate on behalf of the Respondent the court made the following order:-

The petitioner has been convicted by the learned trial Judge for the offence under Section 5(1) r/w 6 of Protection of Child From Sexual Offences Act, 2002, to undergo ten years Rigorous Imprisonment and to pay a fine of Rs.2,000/-, in default of payment of fine to undergo one year simple imprisonment, in Spl.S.C.No.5 of 2018 on the file of the Mahila Court, Trichy.

2. The petitioner's counsel states that the victim is aged about 17 ½ years and the petitioner is aged about 21 years. The petitioner is in custody for about six months. The petitioner's counsel would claim that during the trial, the victim got married to some other person.



3. Taking note of these aspects, I am of the view that the petitioner has some arguable points to present in this appeal. Considering the facts and circumstances of the case, I am inclined to grant relief to the petitioner.

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4. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner 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 each for a like sum to the satisfaction of the learned Mahila Court, Trichy, after the concerned Court is reopened and on further condition that the petitioner shall appear before the said court on the first working day of every month at 10.30 am, pending disposal of the revision petition.

sd/-
12/06/2020

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Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Note : In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.

TO

1. THE JUDGE, MAHILA COURT, TRICHY.
2. THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.
3. THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
SRIRANGAM, (THILLAINAGAR POLICE STATION CR.NO.485/2017)
TRICHY DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL MP(MD) No.3064 of 2020 IN
CRL A(MD) No.172 of 2020
Date :12/06/2020

DAS

TE/JC/SAR-II : 15/06/2020 : 2P/5C

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