



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.3077 of 2020  
IN  
CRL A (MD) No.167 of 2020

SHANMUGAM @ SANI SHANMUGAM

... PETITIONER/APPELLANT/SOLE ACCUSED

Vs

STATE REPRESENTED BY ITS  
THE DEPUTY SUPERINTENDENT OF POLICE,  
KEERANUR DIVISION, KEERANUR ALL WOMAN POLICE STATION,  
PUDUKKOTTAI DISTRICT.  
(CRIME NO.03/2016)

... RESPONDENT/RESPONDENT/COMPLAINANT

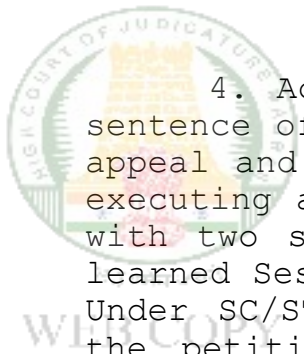
Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to suspend the sentence imposed on file of the Sessions Judge, Special Court for Trial of Cases, Registered under SC/ST (POA) Act, Pudukkottai dated 13.03.2020 and release the petitioner on bail pending disposal of the above appeal.

Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. K.C.MANIYARASU, Advocate for the petitioner and of M/S.A.ROBINSON, Government Advocate (Crl.side) 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 Sections 342 of IPC, to undergo five years Imprisonment and to pay a fine of Rs.1,000/-, in default of payment of fine to undergo one month simple imprisonment, in Spl.S.C.No.27 of 2019 on the file of the learned Sessions Judge, Special Court for Trial of Cases, Registered Under SC/ST (POA) Act, Pudukkottai.

2. The petitioner was sentenced to five years imprisonment. He has been in prison ever since the date of judgment. During the time of investigation also he had been in prison for a whole. The petitioner's counsel states that except the testimony of the victim, there is no other evidence against him.

3. 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.



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 Sessions Judge, Special Court for Trial of Cases, Registered Under SC/ST (POA) Act, Pudukkottai, 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 appeal.

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 SESSIONS JUDGE,  
SPECIAL COURT FOR TRIAL OF CASES UNDER SC/ST(POA) ACT,  
PUDUKOTTAI
  - 2 THE DEPUTY SUPERINTENDENT OF POLICE,  
KEERANUR DIVISION,  
KEERANUR ALL WOMAN POLICE STATION,  
PUDUKKOTTAI DISTRICT.
  - 3 THE SUPERINTENDENT  
CENTRAL PRISON, TRICHY
  - 4 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI
- ORDER IN  
CRL MP(MD) No.3077 of 2020  
IN  
CRL A(MD) No.167 of 2020  
Date :12/06/2020