

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Monday, the Fifteenth day of March Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice A.D.JAGADISH CHANDIRA

CRIMINAL MISCELLANEOUS PETITION NO.2183 OF 2021

IN CRL.A.NO.341 OF 2018

SIVAPIRAKASAM

[PETITIONER / APPELLANT]

Vs

THE STATE OF TAMIL NADU, [RESPONDENT]
REP.BY THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PERAMBALUR,
PERAMBALUR DISTRICT.
CRIME NO.11 OF 2016.

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL.A.NO.341 OF 2018 on the file of the High Court, the High Court will be pleased to suspend the sentence of imprisonment dated 22.03.2018 made in S.C.No.03 of 2017 on the file of the learned Principal Sessions Judge, Perambalur and to enlarge the petitioner on bail pending disposal of the above CRL.A.NO.341 OF 2018 [IN CRL.MP.NO.2183 OF 2021]

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL.A.NO.341 OF 2018 on the file of the High Court and upon hearing the arguments of M/S.A.PADMANABHAN, Advocate for the petitioner and of MR.T.SHUNMUGARAJESWARAN Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This petition has been filed by the petitioner/appellant to suspend the sentence of imprisonment dated 22.03.2018 made in S.C.No.03 of 2017 on the file of the learned Sessions Judge, Mahila Court, Perambalur and to enlarge the petitioner on bail pending disposal of the above Criminal Appeal No.341 of 2018.

2. The learned Counsel for the petitioner would submit that the petitioner was convicted by the learned Sessions Judge, Mahila Court, Perambalur by order dated 22.03.2018 in S.C.No.03 of 2017 and sentenced to undergo 7 years Rigorous Imprisonment and fine of Rs.5,000/- and in default to undergo Simple Imprisonment for two years for offence under Section 366 IPC and 10 years Rigorous Imprisonment and fine of Rs.5,000/- and in default to undergo 3 years Rigorous Imprisonment for the offence under Section 3 read with Section 4 of Protection of Children from Sexual Offences Act 2012. He would submit that the petitioner had earlier approached

this Court seeking for suspension of sentence vide CrI.M.P.No.8179 of 2018 and the same was dismissed as not pressed by order dated 11.07.2018 and that the petitioner has been in custody for about 3 years from the date of Judgment on 22.03.2018. He would further submit that he is not pressing the application and would pray that a date may be fixed and the appeal may be posted for final hearing.

3. Heard the learned Government Advocate (CrI. Side) appearing for the respondent.

4. This Court taking into consideration the facts and submissions of the learned Counsel for the petitioner, this Criminal Miscellaneous Petition is dismissed as not pressed.

5. However, a direction is issued to the Registry to call for the records and prepare the typed set and post the main Appeal in CrI.A.No.341 of 2018 for final hearing on 07.06.2021.

-sd/-

15/03/2021

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,
MAHILA COURT, PERAMBALUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TIRUCHIRAPPALLI

3 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

4 THE INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PERAMBALUR, PERAMBALUR DISTRICT.

WEB COPY

COPY TO:
THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, MADRAS.

C.C. to M/S.A.PADMANABHAN Advocate on payment of necessary charges

Order

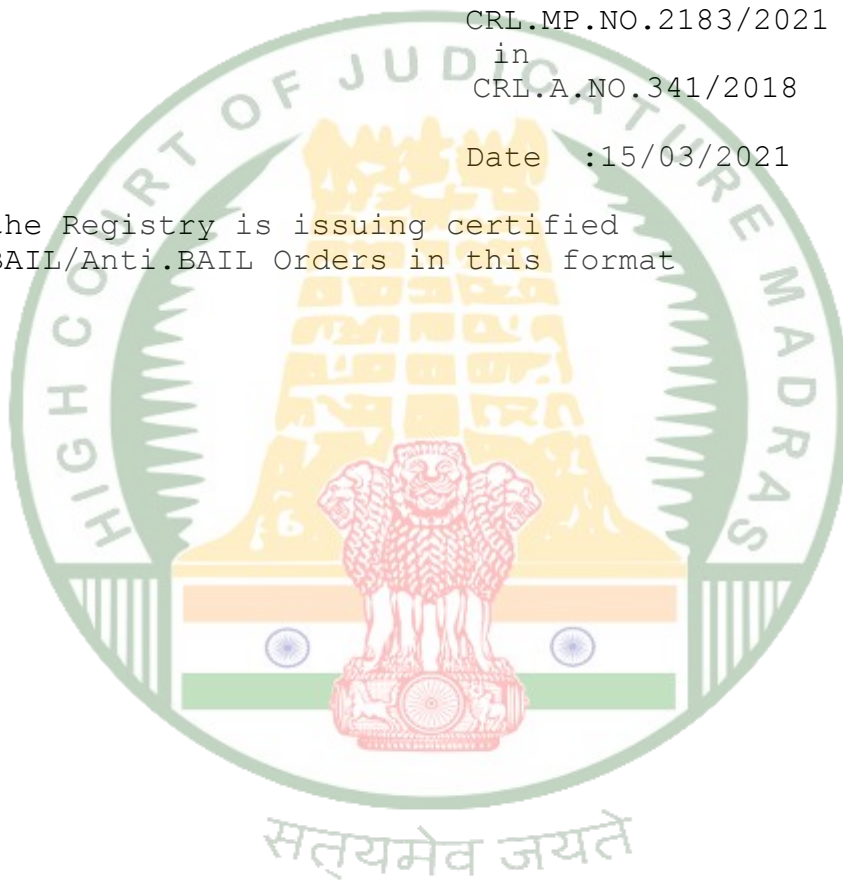
in
CRL.MP.NO.2183/2021

in
CRL.A.NO.341/2018

Date :15/03/2021

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

MK:19/03/2021



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