



IN THE HIGH COURT OF JUDICATURE AT MADRAS
(Criminal Jurisdiction)

Thursday, the Twenty Ninth day of July Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mr Justice R. PONGIAPPAN

CRIMINAL MISCELLANEOUS PETITION No.4274 of 2021

in

Crl.A.No.147 of 2021

B.MOOVENTHAN

[PETITIONER]

Vs

STATE OF TAMILNADU REP.BY
INSPECTOR OF POLICE,
SIRKAZHI POLICE STATION,
NAGAPATTINAM DISTRICT.

[RESPONDENT]

Petition praying that in the circumstances stated therein the High Court will be pleased to suspend the execution of the sentence dated 22.10.2020 passed in S.C.No.123/2014 against the petitioner/appellant/accused by the on the file Sessions Judge, Special court under POCSO Act, Nagapattinam and enlarge appellant on bail pending disposal of the above Crl.A.No.147 of 2021.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S.S.SUNDAR, Advocate for the petitioner and of M/S R.MUNIYAPPARAJ,GOVT.ADVOCATE (CRL.SIDE) on behalf of the Respondent the court made the following order:-

[Order of the Court was made by P.N.PRAKASH, J]

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment imposed on the petitioner vide judgment dated 22.10.2020 passed in S.C.No.123 of 2014 on the file of the Special Court under POCSO Act, Nagapattinam.

2. It is the case of prosecution that the petitioner, being a teacher, had sexually abused the children and hence, he was convicted and sentenced by the Special Court under POCSO Act vide judgment dated 22.10.2020.



3. Taking into consideration the gravity of allegations against the petitioner, we are of the view that it is not a fit case to grant suspension of sentence.

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4. Accordingly, this Criminal Miscellaneous Petition is dismissed.

Registry is directed to call for records, prepare typed set of papers and list the main appeal on 08.09.2021.

-sd/-

29/07/2021

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,
SPECIAL COURT UNDER POCSO ACT,
NAGAPATTINAM

2 THE SPECIAL COURT UNDER
POCSO ACT, NAGAPATTINAM

3 INSPECTOR OF POLICE,
SIRKAZHI POLICE STATION,
NAGAPATTINAM DISTRICT.

4 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

5 THE SUPERINTENDENT,
CENTRAL PRISON, CUDDALORE



6 THE SECTION OFFICER,
CRIMINAL SECTION,
HIGH COURT, MADRAS.

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

Order
in
CRL MP.4274/2021
in
Crl.A.No.147 of 2021
Date :29/07/2021

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

RVR 02/08/2021