

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.05.2021

CORAM:

THE HONOURABLE MR. JUSTICE G.CHANDRASEKHARAN

Crl.M.P.No.5775 of 2021

in

Crl.A.No.241 of 2021

Nallakannu

...Petitioner/Appellant

-Vs-

State rep. by
The Inspector of Police,
All Women Police Station,
Perur, Coimbatore District.
Crime No.6/2019

...Respondent

Criminal Miscellaneous Petition filed under Section 389 of Cr.P.C. to suspend the sentence imposed on the petitioner/appellant in Spl.C.C.No.86 of 2019 dated 18.02.2021 by the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore and enlarge the petitioner on bail.

For Petitioner : Mr.S.N.Arun Kumar

For Respondent : Mr.Charles Premkumar
Government Advocate (Crl.Side)

ORDER

This criminal miscellaneous petition is filed against the order of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore in Spl.C.C.No.86 of 2019, dated 18.02.2021, wherein the petitioner was convicted and sentenced to undergo 3 years imprisonment and to pay a fine of Rs.5,000/- in default to undergo 6 months imprisonment for the offence under Section 7 r/w 8 of the POCSO Act, 2012.

2. The learned counsel for the petitioner submitted that the petitioner is already in custody at Central Prison, Coimbatore and he is aged about 55 years. The learned counsel further submitted that the fine amount awarded by the trial Court has been paid by the petitioner and hence, the present petition may be ordered.

3. The learned Government Advocate appearing for the respondent submitted that the Court below has appreciated the entire evidence and has given elaborate reasons for convicting and sentencing the petitioner.

4. Considering the facts and circumstances of the case and also considering the submissions of the learned counsel for the petitioner, there are arguable points, which requires consideration in the appeal and the appeal cannot be taken up for hearing in the near future, this Court is inclined to suspend the sentence imposed by the Court below and release the petitioner on bail.

5. Accordingly, this miscellaneous petition is ordered and the sentence imposed by the Court below vide Judgment made in Spl.C.C.No.86 of 2019, dated 18.02.2021 on the file of learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, is hereby suspended and the petitioner is directed to be enlarged on bail, on condition that the petitioner shall execute 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 Exclusive Trial of Cases under POCSO Act, Coimbatore and the petitioner shall appear before the said Court on the first working day of every English Calender month at 10.30 A.M. until further orders.

-sd/-

12/05/2021

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.

सत्यमेव जयते

TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
PERUR, COIMBATORE DISTRICT.

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

C.C. to M/S. M.N.BALAKRISHNAN Advocate on payment of necessary
charges Sr.6137

Order

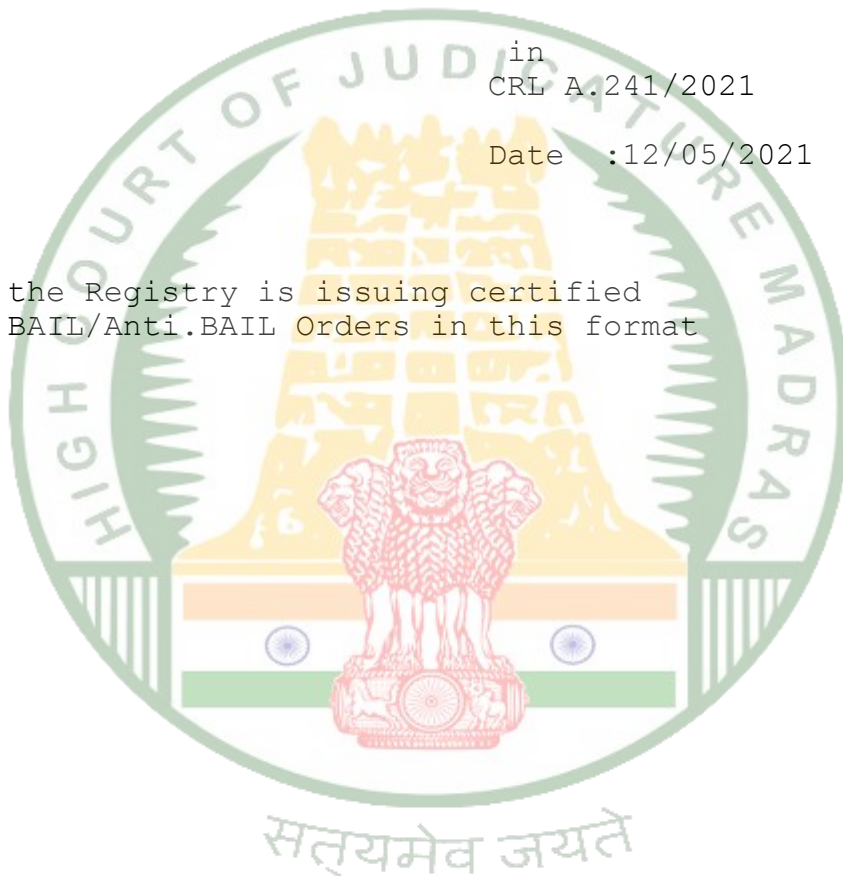
in
CRL MP.5775/2021

in
CRL A.241/2021

Date :12/05/2021

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

RVR 17/05/2021



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