



IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Third day of August Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. VELMURUGAN

CRIMINAL MISCELLANEOUS PETITION No.5752 of 2021

IN CRL A.239/2021

BALRAJ

[PETITIONER/APPELLANT]

Vs

STATE REP.BY
THE INSPECTOR OF POLICE,
KUNNAM POLICE STATION,
PERAMBALUR DISTRICT.
CR.NO.70/2016.

[RESPONDENT/RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in CRL A.239/2021 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner / appellant by the Learned Sessions Judge, Mahila Court Perambalur in S.C.No.44 of 2018 dated 16.12.2020 and enlarge the petitioner on bail CRL A.239/2021.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in Crl.A.No.239/2021 on the file of the High Court and upon hearing the arguments of MR.S.N.ARUNKUMAR Advocate for the Petitioner and of MR.S.SUGENDRAN Government Advocate (crl.side) on behalf of the Respondent the court made the following order:-

(The case has been heard through video conference)

The petitioner has filed the petition seeking to suspend the sentence imposed on him by the learned Sessions Judge, Mahila Court, Perambalur in S.C.No.44 of 2018 dated 16.12.2020.

2. Learned counsel for the petitioner would submit that there are several infirmities and inconsistencies in the prosecution case and there are arguable points in the main criminal appeal. He would further submit that the petitioner is now confined in Central Prison, Thiruchirapalli.



3. The learned Govt. Advocate (Crl.side) would strongly object the petition and submits that the petitioner was convicted for offence under Section 376 IPC.

4. Considering the nature of offence, this Court is not inclined to suspend the sentence imposed on the petitioner. Accordingly, this Criminal Miscellaneous Petition is dismissed

-sd/-

03/08/2021

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 INSPECTOR OF POLICE,
KUNNAM POLICE STATION,
PERAMBALUR DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
THIRUCHIRAPPALLI

4 THE SECTION OFFICER
CRIMINAL SECTION,
HIGH COURT, MADRAS

5 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

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

Order

in
CRL MP.5752/2021

in
CRL A.239/2021
Date :03/08/2021

From 7.2.2001 the Registry is issuing certified copies of the BAIL/Anti.BAIL Orders in this format
APN 10/08/2021