

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Tuesday, the Second day of February Two Thousand Twenty One

PRESENT

The Hon`ble Mr Justice P. N. PRAKASH

and

The Hon`ble Mr Justice V. SIVAGNANAM

CRIMINAL MISCELLANEOUS PETITION No.5624 of 2020

in CRL.A.No.372 OF 2020

INDIRAN

[PETITIONER]

Vs

STATE REP BY

[RESPONDENT]

INSPECTOR OF POLICE,
THUDIYULUR POLICE STATION,
COIMBATORE DISTRICT
(CRIME NO.23/2017)

Petition praying that in the circumstances stated therein the High Court will be pleased to suspend the sentence made in judgement in Spl.C.C.47/2019 dated 14.08.2020 by Learned Sessions Judge, Special Court for Exclusive Trial Under POCSO Act Coimbatore.

Order : This petition coming on for orders upon perusing the petition and upon hearing the arguments of M/S. W.CAMYLES GANDHI, Advocate for the petitioner and of M/S.R.PRATHAP KUMAR, ADDITIONAL PUBLIC PROSECUTOR 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 to suspend the sentence imposed on the petitioner by judgment dated 14.08.2020 in Spl.C.C.No.47 of 2019 on the file of the Sessions Court, (Special Court for Exclusive Trial under the Prevention of Children from Sexual Offences Act, 2012), Coimbatore and to enlarge the petitioner on bail till the disposal of the appeal.

2. It is the case of the prosecution that the petitioner, who was aged about nineteen years, had ravished his own cousin sister, who was aged about thirteen years, and on account of which, she conceived. Though the victim girl turned hostile, the prosecution was able to establish the crime via DNA Profiling.

3. Taking into consideration the serious nature of the case, this is not a fit case to grant suspension of sentence and bail.

Hence, this criminal miscellaneous petition is dismissed. The Registry is directed to call for the records, prepare the typed set of papers and post the main appeal in the first week of March 2021.

-sd/-

02/02/2021

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 FOR EXCLUSIVE TRIAL UNDER THE PREVENTION OF CHILDREN FROM SEXUAL OFFENCES ACT, 2012) COIMBATORE.

2 THE PUBLIC PROSECUTOR
HIGH COURT, MADRAS.

3 INSPECTOR OF POLICE,
THUDIYULUR POLICE STATION,
COIMBATORE DISTRICT

4 THE SUPERINTENDENT,
CENTRAL PRISON, COIMBATORE.

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

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

Order

in
CRL MP.5624/2020

in CRL.A.No.372 OF 2020

Date :02/02/2021

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

RVR 08/02/2021