

IN THE HIGH COURT OF JUDICATURE AT MADRAS

(Criminal Jurisdiction)

Wednesday, the Twenty Fifth day of May Two Thousand Twenty Two

PRESENT

The Hon`ble Mr Justice M.NIRMAL KUMAR

CRIMINAL MISCELLANEOUS PETITION No.6867 of 2022

IN CRL A.518/2022

SHAMSUDEEN

[PETITIONER/ACCUSED]

Vs

STATE REP BY
INSPECTOR OF POLICE,
ALL WOMEN POLICE STATION,
VILLUPURAM DISTRICT.
CR.NO.18/2018.

[RESPONDENT]

Petition praying that in the circumstances stated therein and in the Memorandum of Grounds in Criminal Revision Case No.518/2022 on the file of the High Court, the High Court will be pleased to suspend the sentence imposed on the petitioner/appellant/accused by the judgment dated 19/04/2022 in special S.C.No.11 of 2020, passed by the Session Judge Special Court for Exclusive Trial of Cases Under POCSO Act, Villupuram and enlarge the petitioner on bail,pending disposal of the above CRL A.518/2022.

Order : This petition coming on for orders upon perusing the petition and the Memorandum of Grounds in CRL A.518/2022 on the file of the High Court and upon hearing the arguments of M/S.B.D.KANNAN, Advocate for the petitioner and of MR.LEONARD ARUL JOSEPH SELVAM, Govt. Advocate (Crl. Side) on behalf of the Respondent the court made the following order:-

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner / appellant/ accused by the judgment dated 19.04.2022 in Special S.C. No.11 of 2020, passed by the Session Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram and enlarge the petitioner on bail, pending disposal of the above Criminal Appeal.

2. The petitioner accused in Special S.C. No.11 of 2020 was tried by the trial Court and convicted for offence under Section 8 of the Protection of Children From Sexual Offences Act, 2012 and sentenced to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.30,000/- with a default sentence of further six months simple imprisonment, by a judgment dated 19.04.2022.

3. It is submitted that the trial Court has already suspended the sentence of the petitioner, till 19.04.2022. In view of the same this Court is inclined to suspend the sentence of imprisonment imposed to the petitioner.

4. Accordingly, the substantive sentence of imprisonment alone is 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 likesum to the satisfaction of the learned Special Court for Exclusive Trial of Cases Under Protection of Children From Sexual Offences Act - Villupuram, within a period of 15 days from the date of receipt of a copy of this order and on further condition that the petitioner shall appear before the said Court on the first working day of English Calender Month at about 10.30 a.m., till the disposal of the appeal. The petition is ordered accordingly.

-sd/-

25/05/2022

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 SESSION JUDGE SPECIAL
COURT FOR EXCLUSIVE TRIAL OF CASES UNDER
POCSO ACT, VILLUPURAM

2 INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
VILLUPURAM DISTRICT.

3 THE PUBLIC PROSECUTOR, HIGH COURT, MADRAS.

C.C. to M/S.B.D.KANNAN Advocate on payment of necessary charges
SR.NO.7866

Order

in

CRL MP.6867/2022

in

CRL A.518/2022

Date :25/05/2022

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RVR 27/05/2022