



Crl.MP.No.18879 of 2022 in Crl.A.No.1252 of 2022

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14.12.2022

CORAM

THE HONOURABLE MR. JUSTICE V.SIVAGNANAM

Crl.M.P.No.18879 of 2022

in

Crl.A.No.1252 of 2022

Ramalingam

... Petitioner

Vs.

The State rep. by Inspector of Police,
All Women Police Station,
Ariyalur District,
Crime No.51 of 2021.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) Cr.P.C. to suspend the sentence of imprisonment imposed in the judgment dated 19.09.2022 made in Spl.S.C.No.10 of 2022 on the file of the Sessions Judge/ Fast Track Mahila Court, Ariyalur and enlarge the petitioner on bail, pending disposal of the Criminal Appeal.



Crl.MP.No.18879 of 2022 in Crl.A.No.1252 of 2022

For Petitioner

: Mr.D.Lakshmipathy

For Respondent

: Mr.C.E.Pratap, Govt. Advocate
(Crl. Side)

ORDER

The petitioner, who is accused in Spl. S.C.No.10 of 2022 on the file of the Fast Track Mahila Court,Ariyalur, seeks suspension of his sentence of imprisonment.

2. The Trial Court, by judgment dated 19.09.2022 in S.C.No.10 of 2022, convicted the petitioner/accused for the offence punishable under Sections 8 of POCSO Act r/w Section 354A(2) IPC and sentenced him to undergo rigorous imprisonment for 3 years and to pay a fine of Rs.10,000/-, in default, to undergo 3 months simple imprisonment.

3. Challenging the conviction and sentence slapped by the Trial Court, the petitioner is before this Court.



Crl.MP.No.18879 of 2022 in Crl.A.No.1252 of 2022

4. The learned counsel for the petitioner submitted that there are arguable points in this Appeal and hence, prayed for suspension of sentence.

5. I have perused the impugned judgments and the materials on record.

6. Taking into consideration of the above submission of the learned counsel appearing on both sides, this Court finds that the petitioner has substantial grounds in this Criminal Appeal, which require detailed appraisal. Therefore, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

7. Accordingly, it is ordered as follows.

(i) (i) The substantive sentence of imprisonment alone is suspended and the petitioner shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioner is ordered to be released on bail on his *executing a bond for a*



Crl.MP.No.18879 of 2022 in Crl.A.No.1252 of 2022

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, Fast Track Mahila Court, Ariyalur.

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

(iii) The petitioner shall appear before the Trial Court on the first working day of every month until the disposal of the Criminal Appeal.

14.12.2022
(2/2)

Note: Issue order copy on 15.12.2022
mst

To

1. The Sessions Judge, Fast Track Mahila Court, Ariyalur.
2. The Inspector of Police,
All Women Police Station, Ariyalur.
3. The Public Prosecutor, Madras High Court.



WEB COPY



Crl.MP.No.18879 of 2022 in Crl.A.No.1252 of 2022

V.SIVAGNANAM, J.,

mst

Crl.M.P.No.18879 of 2022

in

Crl.A.No.1252 of 2022

14.12.2022

(2/3)