



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the First day of March Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.K.ILANTHIRAIYAN

Crl.M.P(MD)No.2881 of 2022
in
Crl.A(MD)No.399 of 2021

SANGARANARAYANAN

... PETITIONER/ APPELLANT /
ACCUSED NO.2

Vs

THE STATE REP.BY,
1 THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.427 OF 2004)

... RESPONDENT / RESPONDENT /
COMPLAINANT

2 PANDISELVI

... RESPONDENT/ VICTIM

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence of imprisonment imposed by the Learned Special Court of Exclusive Trial of Cases Under POCSO Act Cases, Virudhunagar District at Srivilliputhur in Spl.S.C.No.50 of 2016 by the Judgment dated 18.08.2021 and enlarge the Petitioner / Appellant on bail, pending disposal of the above said Criminal Appeal.

Prayer in Crl.A(MD)No.399 of 2021:

To set aside the Judgment and Conviction dated 18.08.2021 by the learned Special Court of Exclusive Trial of Cases under POCSO Act Cases Virudhunagar District at Srivilliputhur, in Spl.S.C.No.50 of 2016 and acquit the Appellant.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of Mr.M.KARUNANITHI, Advocate for the petitioner and of M/S.M.ASHA, Government Advocate (Crl. Side) on behalf of the 1st Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed to suspend the Conviction and Sentence imposed by the learned Special Court of Exclusive Trial of Cases under POCSO Act Cases, Virudhunagar District at Srivillipudhur in Spl.S.C.No.50 of 2016 by the judgment dated 18.08.2021 and enlarge the petitioner / Appellant on bail.



2. Heard the learned counsel appearing for the petitioner and peruse the material placed before this Court.

3. The learned Government Advocate (Criminal Side) submitted that the respondent followed all the procedures as contemplated under the Act and proved the case beyond reasonable doubt. Therefore, there is no ground to consider the petition for suspension of sentence while pending the appeal. Considering the facts and circumstances of the case and also considering the nature of the offence, this Court is not inclined to suspend the sentence and hence this Criminal Miscellaneous Petition is dismissed.

sd/-
01/03/2022

/ TRUE COPY /

/ /2022
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE SPECIAL COURT OF EXCLUSIVE TRIAL
OF CASES UNDER POCSO ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE
M.PUDUPATTI POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
Crl.M.P (MD)No.2881 of 2022
in
Crl.A (MD)No.399 of 2021
Date :01/03/2022

mga
MK/SBN/SAR.III/09.03.2022/2P/5C