



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

Monday, the Eighteenth day of April Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice R.SUBRAMANIAN
and

The Hon`ble Mr.Justice N.SATHISH KUMAR

CRL MP(MD) No.4350 of 2022

IN

CRL A(MD) No.264 of 2022

SUBBAIAH

... PETITIONER/APPELLANT/SOLE ACCUSED

Vs

STATE REP.BY

THE INSPECTOR OF POLICE

SEIDUNGANALLUR POLICE STATION,

THOOTHUKUDI DISTRICT.

(CR.NO.219/2012)

... RESPONDENT/RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to grant an order of suspension of sentence imposed in the Conviction Judgement passed in S.C.No.112/2013 on the file of the Learned Sessions Judge, Mahalir Neethimandram, (Fast Track Mahila Court) Thoothukudi, dated 04.12.2014, and enlarge the Petitioner/Appellant/Sole Accused on Bail pending disposal of the above Criminal Appeal.

PRAYER IN CRL A(MD) No.264 of 2022:

To admit the appeal on file, to call for the records from the Lower Court namely Learned Sessions Judge, Mahalir Neethimandram, (Fast Track Mahila Court) Thoothukudi, and set aside the Judgment of the Lower Court by acquitting the Appellant in S.C.No.112 of 2013 on 04.12.2014 of Learned Sessions Judge, Mahalir Neethimandram, (Fast Track Mahila Court) Thoothukudi.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.A.SARAVANAN, Advocate for the petitioner and of MR.T.SENTHIL KUMAR, ADDITIONAL PUBLIC PROSECUTOR on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition has been filed by the petitioner/appellant seeking to suspend the sentence of life imprisonment imposed on him by the learned Sessions Judge, Mahalir Neethimandram, (Fast Track Mahila Court) Thoothukudi, by Judgment, dated 04.12.2014, in S.C.No.112 of 2013.



2. Heard the learned counsel on either side and perused the materials available on record.

3. Though the petitioner seeks suspension of sentence of life imprisonment imposed on him, considering the facts and circumstances of the case and particularly the fact that the petitioner has been convicted for the offence under Section 8 of the Protection of Children from Sexual Offences Act, we do not deem it fit to enlarge the petitioner on bail, pending appeal. Hence, this petition is dismissed.

4. Considering the fact that the conviction is of the year 2014, the Registry is directed to prepare the appeal papers and post the Criminal Appeal for final hearing on 08.06.2022.

sd/-

18/04/2022

/ TRUE COPY /

/ /2022

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

TO

- 1 THE SESSIONS JUDGE,
MAHALIR NEETHIMANDRAM,
(FAST TRACK MAHILA COURT),
THOOTHUKUDI.
- 2 THE INSPECTOR OF POLICE
SEIDUNGANALLUR POLICE STATION,
THOOTHUKUDI DISTRICT.
- 3 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO

- 1 THE SECTION OFFICER,
CRIMINAL SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 2 THE SECTION OFFICER,
T & P SECTION,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1. C.C. to M/S.A.SARAVANAN Advocate SR.No.3415 dated 18.04.2022

ORDER IN

CRL MP(MD) No.4350 of 2022

IN CRL A(MD) No.264 of 2022

Date :18/04/2022

RS/PN/SAR.2 (20.04.2022) 2P-8C

<https://hcservices.ecourts.gov.in/hcservices/>