



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

Friday, the Ninth day of September Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.8606 of 2022
in
CRL.A. (MD) No.463 of 2022

M.THIRAVIYARAJ

... PETITIONER/APELLANT

Vs

1. THE DEPUTY SUPERINTENDENT OF POLICE,
MANAMADURAI SUB DIVISION,
MANAMADURAI,
SIVAGANGAI DISTRICT.

2. THE INSEPCTOR OF POLICE,
THIRUPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
(CRIME NO. 149 OF 2008).

... 1st & 2nd RESPONDENTS/
RESPONDENTS 1 & 2

3. R.MANO HARAN

... 3rd RESPONDENT/
3rd RESPONDENT

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 Sessions Judge, Special Court Trial of cases under SC/ST (PoA) Act, Sivagangai in S.C.No. 60 of 2010 by the judgement and conviction dated 29.06.2022 and enlarge the petitioner/accused on bail, pending disposal of the above said Criminal Appeal.

PRAYER in CRL.A. (MD) No.463 of 2022 :

Pleased to call for the records and to set aside the Judgment and Conviction dated 29.06.2022 passed by the Sessions Judge, Special Court Trial of cases under SC/ST (POA) Act, Sivagangai in S.C.No.60 of 2010 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 M/S.RAJA.S, Advocate for the petitioner and of MR.SS.MADHAVAN, Government Advocate (Criminal) on behalf of the Respondents No.1&2 and MR.V.NAGENDRAN, Advocate for the 3rd



Respondent, while admitting the Criminal Appeal, the court following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Special Court Trial of Cases under SC/ST (PoA) Act, Sivagangai, dated 29.06.2022 in S.C.No.60 of 2010 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned trial judge, for the alleged offence under Section 294(b) and to pay a fine of Rs.500/- in default to undergo simple imprisonment for a period of 1 month, for the alleged offence under Section 3(1)(x) of SC/ST (PoA) Act, sentenced him to undergo rigorous imprisonment for a period of 1 year and to pay a fine of Rs.4,500/- in default to undergo simple imprisonment for a period of 1 month, in S.C.No.60 of 2010 on the file of the learned Sessions Judge, Special Court Trial of Cases under SC/ST (PoA) Act, Sivagangai.

3.It is submitted by the learned counsel for the petitioner that compromise has been reached between the parties.

4.In view of the settlement reached between the parties, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal 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 like sum to the satisfaction of the learned Sessions Judge, Special Court Trial of Cases under SC/ST (PoA) Act, Sivagangai, and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-

09/09/2022

/ TRUE COPY /

/09/2022

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

Note: In view of the present lock down owing to COVID-19 pandemic, a web copy of the order may be utilized for official purposes, but, ensuring that the copy of the order that is presented is the correct copy, shall be the responsibility of the advocate/litigant concerned.



TO

1. THE SESSIONS JUDGE,
SPECIAL COURT TRIAL OF CASES UNDER SC/ST (POA) ACT,
SIVAGANGAI.
2. THE DEPUTY SUPERINTENDENT OF POLICE,
MANAMADURAI SUB DIVISION,
MANAMADURAI, SIVAGANGAI DISTRICT.
3. THE INSEPCTOR OF POLICE,
THIRUPUVANAM POLICE STATION,
SIVAGANGAI DISTRICT.
4. THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
5. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.RAJA, Advocate (SR-9822[I] dated 09/09/2022)

ORDER
IN
CRL MP(MD) No.8606 of 2022
in
CRL.A.(MD)No.463 of 2022
Date :09/09/2022

dss
USK/VR/SAR-III/09.09.2022/3P/7C