



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

Monday, the Nineteenth day of September Two Thousand and Twenty Two
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.11181 of 2022

IN

CRL A(MD) No.567 of 2022

1 DURAIRAJ
2 VIJAYA

... PETITIONERS/APELLANTS

Vs

THE DEPUTY SUPERINTENDENT OF POLICE,
PUDUKKOTTAI, UDAILYALIPATTI POLICE STATION,
PUDUKKOTTAI DISTRICT.
CRIME NO.111 OF 2017.

... RESPONDENT/COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to enlarge the Petitioners on bail by Suspending the Sentence imposed upon the Petitioners in Spl.SC.No.78 of 2019 on the file of Special Court for Trial of Cases Registered Under SC/ST(POA) Act, Pudukkottai by Judgment dated 30.06.2022 pending disposal of the main Criminal Appeal.

Prayer in CRL A(MD)No.567 of 2022 :

To call for the records in Spl.S.C.No.78 of 2019 on the file of the Special Court For Trial of Cases Registered Under SC/ST (POA) Act, Pudukkottai, and SET ASIDE the judgment dated 30.06.2022 and Acquit the Appellants of the charges leveled against the petitioners.

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.ARUNRAJ K, Advocate for the petitioners and of MR.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the Respondent, while admitting the Criminal Appeal, the court made the following order:-

This petition has been filed to suspend the sentence imposed by the Special Court for Trial of Cases Registered under Section SC/ST (POA) Act, Pudukkottai, in Spl.S.C.No.78 of 2019, dated 30.06.2022.

2.The learned counsel for the petitioners submits that the trial Court has suspended the sentence that has been imposed on the petitioners herein after hearing the defacto complainant.

3.The learned Additional Public Prosecutor appearing for the respondent also concedes to the same.



4. Heard both sides and also perused the materials available on record.

5. Considering the above fact, this Court is inclined to suspend the sentence imposed on the petitioners.

6. Accordingly, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioners are directed to be enlarged on bail on condition that the petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Special Court for Trial of Cases Registered under Section SC/ST(POA) Act, Pudukkottai and on further condition that the petitioners shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-

19/09/2022

/ TRUE COPY /

20/09/2022

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

TO

- 1 THE JUDGE,
SPECIAL COURT FOR TRIAL OF CASES REGISTERED UNDER
SECTION SC/ST (POA) ACT, PUDUKKOTTAI.
- 2 THE DEPUTY SUPERINTENDENT OF POLICE, PUDUKKOTTAI,
UDAIYALIPATTI POLICE STATION, PUDUKKOTTAI DISTRICT.
- 3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.11181 of 2022

IN

CRL A(MD) No.567 of 2022

Date :19/09/2022

TA

RS/VR/SAR.2 (20.09.2022) 2P-4C