



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

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

PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.11150 of 2022
in
Crl.A(MD).No.566 of 2022

DINESH

... PETITIONER/APPELLANT

Vs

THE STATE REP. BY,
THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
(CRIME NO. 18 OF 2019).

... RESPONDENT/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 imposed by learned Sessions Judge, POCSO Special Court, Tirunelveli in S.C.No. 281 of 2019 Dated. 17.08.2022 pending disposal of the Crl.Appeal.

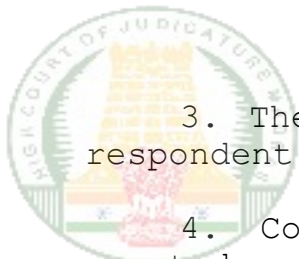
Prayer in Crl.A(MD).No.566 of 2022 :

Pleased to call for the records in S.C.No.281 of 2019 relating to the judgment dated 17.08.2022 passed by the Learned Sessions Judge, POCSO Special Court, Tirunelveli and to set aside the judgment of the conviction on the appellant/accused.

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.T.RAMESH RAJA, Advocate for M/S.SUSIKUMAR.C, Advocate for the petitioner 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 learned Sessions Judge, POCSO Special Court, Tirunelveli in S.C.No.281 of 2019, dated 17.08.2022.

2. The learned counsel for the petitioner submits that the petitioner herein is the second accused and the petitioner is the friend of the first accused. The first accused, against whom the charge of kidnap was imposed, appears to be granted suspension of sentence.



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

4. Considering the above fact that the first accused was granted suspension of sentence and this petitioner also stands on better footing, this Court is inclined to suspend the sentence imposed on the petitioner.

5. Accordingly, 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, POCSO Special Court, Tirunelveli 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/-
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 SESSIONS JUDGE,
POCSO SPECIAL COURT, TIRUNELVELI.
2. THE INSPECTOR OF POLICE,
RADHAPURAM POLICE STATION,
TIRUNELVELI DISTRICT.
3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.11150 of 2022
in
Crl.A(MD).No.566 of 2022
Date :19/09/2022

ta
USK/SBN/SAR-II/20.09.2022/2P/4C