



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

Thursday, the Third day of November Two Thousand and Twenty Two

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.12924 of 2022

IN

CRL A(MD) No.673 of 2022

MANIPRASATH

... PETITIONER/APPELLANT/
ACCUSED No.1

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAGANGAI,
SIVAGANGAI DISTRICT.
(IN CRIME NO.07/2015).

... 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 Suspend the sentence imposed in Judgement dt 16.05.2022 made in Spl.S.C,No.07/2016 on the file of the Special Court for Exclusive Trial of Cases under the POCSO Act 2012 Sivagangai and enlarge him on bail pending disposal of the above Criminal Appeal.

PRAYER IN CRL A(MD).673 of 2022:

Pleased to admit this appeal on file, to call for the records from the lower court in Special S.C.No.07 of 2016 on the file of the Special Court for Exclusive Trial of cases under the POCSO, Act 2012, Sivagangai District and setaside the judgement dated 16.05.2022 by acquitting the accused and by allowing the Appeal.

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.SASIDHARAN TAMILKANI S.T., Advocate for the petitioner and of Mr.S.MANIKANDAN, Government Advocate(Crl.side) on behalf of the Respondent, the court made the following order:-

This petition is filed to suspend the sentence imposed against the petitioner, by Judgment, dated 16.05.2022, passed by the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Sivagangai in Spl.S.C.No.07 of 2016.



2.The learned counsel for the petitioner would submit that though the petitioner was convicted and sentenced by the trial Court, after the said occurrence, he married the victim and child was also born to the victim. She was taken to her parental home. The petitioner has no issue between them. The petitioner is now ready to take the victim to her matrimonial home. The victim also filed an affidavit that she has no objection to release the petitioner.

3.In view of the above said facts and circumstances and also considering the facts that the petitioner is in custody from 16.05.2022; no other bad antecedents against the petitioner; the relief of suspension of sentence and bail is granted to the petitioner on the following conditions:-

- (i)The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Sivagangai.
- (ii)The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and
- (iii)The petitioner shall appear before the respondent police daily at 10.30 a.m, until further orders.

sd/-

03/11/2022

/ TRUE COPY /

03/11/2022

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

TO

- 1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER THE POCSO, ACT 2012, SIVAGANGAI,
SIVAGANGAI DISTRICT.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.



3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SIVAGANGAI, SIVAGANGAI DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1. C.C. to M/S.SASIDHARAN TAMILKANI S.T. Advocate SR.No.12359

ORDER

IN

CRL MP (MD) No.12924 of 2022

IN

CRL A (MD) No.673 of 2022

Date :03/11/2022

PNM

SA/SBN/SAR. /03.11.2022/3P/6C