



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

Wednesday, the Sixteenth day of November Two Thousand and
Twenty Two
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.14030 of 2022

IN

CRL A(MD)No.746 of 2022

K.KANTHIMATHI

... APPELLANT/ACCUSED No.2

Vs

PAPPA

... 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 on the petitioner Accused No.2 Namely Kanthimathi by the Honourable Special Court for Trial of Case under SC/ST(POA) Act Thoothukudi in Sessions Case No.116/2020 dt 28.10.2022 and enlarge the Petitioner/Accused No.2 on bail, pending disposal of the Criminal Appeal.

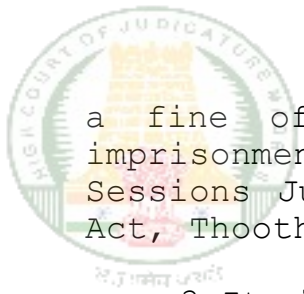
PRAYER IN CRL A(MD) .746/2022:

Pleased to allow the appeal and to call for the records and set aside the judgment of the lower court in Sessions Case No.116/2020 dated 28.10.2022 on the file of the Hon'ble Special Court for Trial of Cases under SC/ST (POA) Act, 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 Mr.CHANDRA SEKARAN M, Advocate for the petitioner, While admitting the CRL.A., court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi, dated 28.10.2022 in S.C.No.116 of 2020 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/2nd accused has been convicted by the learned trial judge, for the alleged offence under Section 326 of IPC and sentenced her to undergo three years rigorous imprisonment and to pay a fine of Rs.25,000/- in default to undergo simple imprisonment for a period of 6 months and for the offence under Section 323 of IPC and imposed



a fine of Rs.1,000/- in default to undergo one month's imprisonment, in S.C.No.116 of 2020 on the file of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Thoothukudi.

3. It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court for a period of one month.

4. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the fact the petitioner is already enlarged on bail by the trial Court, 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 for Trial of Cases under SC/ST (POA) Act, Thoothukudi.

sd/-

16/11/2022

/ TRUE COPY /

18/11/2022

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

THE SESSIONS JUDGE,
SPECIAL COURT FOR TRIAL OF CASES UNDER SC/ST (POA) ACT,
THOOTHUKUDI.

+1. C.C. to M/S.CHANDRA SEKARAN M Advocate SR.No.13111

ORDER IN

CRL MP(MD) No.14030 of 2022
IN

CRL A(MD) No.746 of 2022

Date : 16/11/2022

TM

SA/SSS/SAR. /18.11.2022/2P/3C
<https://www.mhc.tn.gov.in/judis>