



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

Monday, the Twenty First day of November Two Thousand and
Twenty Two

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.14291 of 2022
IN
CRL A(MD)No.795 of 2022

SARATH CHANDRAN

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
PETTAI POLICE STATION, PETTAI,
TIRUNELVELI DISTRICT.
CRIME NO.68 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 on the Petitioner by the Special Court for the POCSO Act Cases, Tirunelveli in Spl.CC.No.331 of 2019 by the judgment dt.8.11.2022 and enlarge the Petitioner on bail pending disposal of the above Appeal.

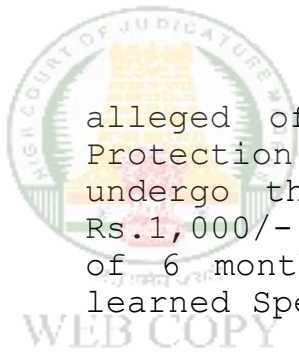
Prayer in Crl.A(MD)No.795/2022:

Pleased to allow this appeal and set aside the judgment dated 08-11-2022 passed in Special C.C.No.331 of 2019 on the file of the Special Court for POCSO Act Cases, Tirunelveli.

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.PRAGALATHAN N, Advocate for the petitioner and of Mr.RMS.SETHURAMAN, Additional Public Prosecutor on behalf of the Respondent, While admitting the CRL.A., the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed on the petitioner by the Special Court for the POCSO Act Cases, Tirunelveli in Special C.C.No.331 of 2019 dated 08.11.2022 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 11(i)(iv) r/w section 12 of the Protection of Children from Sexual Offences Act and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo rigorous imprisonment for a period of 6 months, in Special C.C.No.331 of 2019 on the file of the learned Special Court for the POCSO Act Cases, Tirunelveli.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court.

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 Special Court for the POCSO Act Cases, Tirunelveli.

sd/-

21/11/2022

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/11/2022

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

TO

1 THE SPECIAL JUDGE FOR
THE POCSO ACT CASES, TIRUNELVELI.

2 THE INSPECTOR OF POLICE
PETTAI POLICE STATION, PETTAI,
TIRUNELVELI DISTRICT.

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

+1. C.C. to M/S.PRAGALATHAN N Advocate SR.No.13453

ORDER IN

CRL MP(MD) No.14291 of 2022
IN

CRL A(MD)No.795 of 2022

Date :21/11/2022

tta

SA/VR/SAR. /23.11.2022/2P/5C

<https://www.mhc.tn.gov.in/judis>