



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

Monday, the Twelfth day of December Two Thousand and Twenty Two
PRESENT

WEB COPY

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.15412 of 2022

IN

CRL A(MD) No.849 of 2022

C.AYYAR

... APPELLANT/SOLE ACCUSED

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
SATTUR TOWN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.303/2020)

... 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 execution of the Sentence imposed by the learned Sessions Judge (Special Court for POCSO Act cases), Virudhunagar District at Srivilliputtur in Spl SC No.57/2020 dated 23.11.2022 and enlarge the Appellant on Bail pending disposal of the above Criminal Appeal.

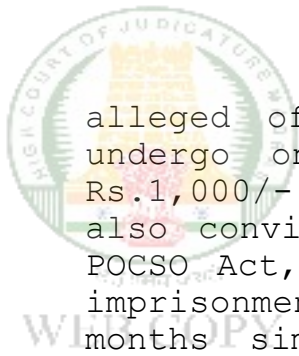
Prayer in CRL.A(MD).849 of 2022:

Pleased to call for Records and set aside the Judgment dated 23.11.2022 passed by the Learned Sessions Judge(Special Court for POCSO Act Cases), Virudhunagar District at Srivilliputhur in Spl.S.C.57 of 2020 by allowing this Criminal 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.RAJPAL SINGH, Advocate for the petitioner and of Mr.B.NAMBISELVAN, 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 by the learned Sessions Judge, (Special Court for POCSO Act Cases), Virudhunagar District at Srivilliputtur, dated 23.11.2022 in S.C.No.57 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 has been convicted by the learned trial judge, for the



alleged offence under Section 363 of IPC and sentenced to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo 3 months simple imprisonment and also convicted for the offences punishable under Section 7, 8 of POCSO Act, 2012 and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.3,000/- in default to undergo 6 months simple imprisonment. The sentences were ordered to run concurrently. Set off under Section 428 Cr.P.C. is also ordered.

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 30 days.

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 are 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) each with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, (Special Court for POCSO Act Cases), Virudhunagar District at Srivilliputtur 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/-

12/12/2022

/ TRUE COPY /

/12/2022

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

- 1 THE SESSIONS JUDGE,
(SPECIAL COURT FOR POCSO ACT CASES),
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE INSPECTOR OF POLICE
SATTUR TOWN POLICE STATION, VIRUDHUNAGAR DISTRICT.



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

WEB COPY

+2. C.C. to M/S.RAJPAL SINGH Advocate SR.No.14751

ORDER IN

CRL MP (MD) No.15412 of 2022
IN

CRL A (MD) No.849 of 2022

Date :12/12/2022

TM

SA/VR/SAR.2/15.12.2022/3P/6C