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*Crl.M.P.No.150 of 2023 in
Crl.A.No.14 of 2023*

**Crl.M.P.No.150 of 2023 in
Crl.A.No.14 of 2023**

V.SIVAGNANAM, J.,

This petition has been filed to suspend the sentence imposed on the petitioner by the Trial Court in Spl.Calendar Case No.2 of 2021, vide judgement dated 30.11.2022, pending disposal of the Criminal Appeal.

2. The learned Sessions Judge, Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, vide judgment dated 30.11.2022 in Special C.C.No.2/2012, convicted the petitioner under Section 7 punishable under Section 8 of POCSO Act and sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo 3 months simple imprisonment.

3. Challenging the conviction and sentence slapped by the Trial Court, the petitioner is before this Court.

4. The learned counsel for the petitioner submitted that there are arguable points in this Criminal Appeal. He further submitted that already, the petitioner paid the fine amount and hence, prayed for suspension of



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5. Heard the learned Government Advocate(Crl. side) appearing for the respondent and perused the impugned judgment and the materials on record.

6. Taking into consideration of the above submission of the learned counsels appearing on both sides, this Court finds that the petitioner has substantial grounds in this Criminal Appeal, which require detailed appraisal. Therefore, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence.

7. Accordingly, it is ordered as follows.

(i) The substantive sentence of imprisonment alone is suspended and the petitioner shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioner is ordered to be released on bail on his *executing 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 Principal Special Court for Trial of Cases under POCSO Act, Coimbatore.*



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(ii) The petitioner and 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.

(iii) The petitioner shall appear before the Trial Court as and when required.

06.01.2023

(1/2)

Index:Yes/No
Internet:Yes/No
mst

To

- 1.The Sessions Judge, Special Court for Exclusive Trial of Cases
Under POCSO Act, Coimbatore.
- 2.The Public Prosecutor, High Court, Madras.



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