



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

Tuesday, the Thirty First day of January Two Thousand and
Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP (MD) No.557 of 2023

IN

CRL A (MD) No.488 of 2022

LAKSHMANAN

... PETITIONER/APPELLANT

Vs

THE STATE REP.BY
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KULITHALAI,
KARUR DISTRICT
(CRIME NO.3 OF 2020)

... RESPONDENT/RESPONDENT

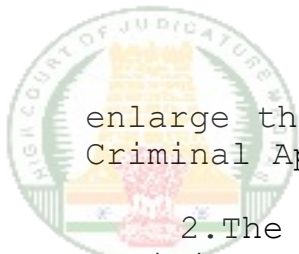
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence of imprisonment imposed by the learned Additional Sessions Judge/Fast Track Mahila Court, Karur in S.C.No.31 of 2020, order dated 12/07/2022 and release the accused on bail pending disposal of the appeal.

PRAYER IN CRL A(MD) No.488 of 2022:

Pleased to set aside the judgment of the learned Additional Sessions Judge/Fast Track Mahila Court, Karur in S.C.No.31/2020, dated 12.07.2022 found guilty under Section 376 (1) IPC and convicted and sentenced to undergo Ten year imprisonment and to pay a fine of Rs.1000/- in default of payment of to undergo one year simply imprisonment for the offence u/s.376 (1) IPC and allow this 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.MUTHUKRISHNAN.S, Advocate for the petitioner and of Mr.B.NAMBISELVAN, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Additional Sessions Judge, Fast Track Mahila Court, Karur, dated 12.07.2022 in S.C.No.31 of 2020 and



enlarge the petitioner on bail, pending disposal of the appeal. Criminal Appeal.

2. The learned counsel for the petitioner submitted that the petitioners have been convicted by the learned trial Judge, for the alleged offence under Section 376(i) of IPC and sentenced him to undergo 10 years Rigorous Imprisonment and to pay a fine of Rs.1,000/- in default to undergo Simple Imprisonment for a period of one year.

3. It is submitted by the learned counsel for the petitioner that subsequent to the above said conviction and sentence, compromise has been reached between the parties at the village level, by which, the petitioner is proposed to marry the victim girl and the undertaking affidavit has been filed by the petitioner.

4. The learned Additional Public Prosecutor would submit that the above said compromise has been verified and it has been confirmed that on 10.02.2023, the marriage between the accused and the victim girl is going to be performed.

5. 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 undertaking affidavit filed by the petitioner, 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 Additional Sessions Judge, Fast Track Mahila Court, Karur, 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/-

31/01/2023

/ TRUE COPY /

31/01/2023

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

INDU

TO

1 THE ADDITIONAL SESSIONS JUDGE,
FAST TRACK MAHILA COURT, KARUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

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



3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KULITHALAI,
KARUR DISTRICT.

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

+1. C.C. to M/S.MUTHUKRISHNAN.S Advocate SR.No.1459

ORDER

IN

CRL MP (MD) No.557 of 2023

IN

CRL A (MD) No.488 of 2022

Date :31/01/2023

SA/MMS/SAR. /31.01.2023/3P/6C