



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

Thursday, the Eighteenth day of May Two Thousand and Twenty Three

PRESENT

The Hon`ble Mrs.Justice T.V.THAMILSELVI

CRL MP(MD) No.3903 of 2023
in
CRL A(MD) No.177 of 2023

SENTHURPANDI

... PETITIONER/APPELLANT/ACCUSED

Vs

State Rep.by
THE INSPECTOR OF POLICE
KURUMBUR POLICE STATION,
THOOTHUKUDI.
CRIME NO.30/2013.

... RESPONDENT/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 petitioners by the Learned Special Court for Exclusive Trial Cases under POCSO Act, Thoothukudi in Spl.SC.No.27/2019 dt.8/2/2023 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

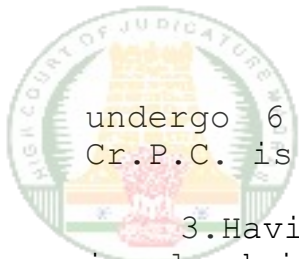
PRAYER IN CRL A(MD) No.177 of 2023 :

To call for the record and set aside the Exclusive Trial Cases Under POCSO Act, Thoothukudi in Spl.SC.No.27 of 2019 dated 08.02.2023.

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.ILAYARAJA R, Advocate for the petitioner and of MR.M.SAKTHI KUMAR, Government Advocate (Crl.Side) 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 Sessions Judge, (Special Court for POCSO Act Cases), Thoothukudi, dated 08.02.2023 in Spl.S.C.No.27 of 2019 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 8 of Protection of Children from Sexual Offences Act, 2012 and sentenced him to undergo three years imprisonment and to pay a fine of Rs.10,000/- in default to



undergo 6 months simple imprisonment. Set off under Sec 28 Cr.P.C. is also ordered.

3. 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), Thoothukudi 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/-

18/05/2023

/ TRUE COPY /

19/05/2023

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

TM

TO

- 1 THE SESSIONS JUDGE (SPECIAL COURT FOR POCSO ACT CASES),
THOOTHUKUDI DISTRICT.
 - 2 THE INSPECTOR OF POLICE, KURUMBUR POLICE STATION, THOOTHUKUDI.
 - 3 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI,
TIRUNELVELI DISTRICT.
 - 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- +1 CC to M/s.ILAYARAJA R, Advocate (SR-7617[I] dated 19/05/2023)

ORDER

IN

CRL MP(MD) No.3903 of 2023

in

CRL A(MD) No.177 of 2023

Date :18/05/2023

RS/CG/SAR-(18.05.2023) 2P 6C