



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

Monday, the Seventeenth day of April Two Thousand and Twenty Three

WEB COPY

PRESENT

The Hon`ble Mr.Justice R.SURESH KUMAR
and
The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD) No.5997 of 2023
IN
CRL A(MD) No.29 of 2022

PALRAJ

... PETITIONER/APPELLANT/
SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE,
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO. 672/2015)

... 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 sentences passed in Special Sessions Case No.37 of 2016 dated 08.10.2021 on the file of the Special Court for exclusive trial of cases, under protection of children from the sexual offences act, 2012 Virudhunagar District at Srivilliputhur pending disposal of the above said Criminal Appeal.

Prayer in Crl.A.(MD) No.29 of 2022:

To admit this appeal on file, to call for the records from the Lower Court and duly set aside the judgment passed by the learned Special Court for exclusive trial of cases under protection of children from the sexual offences act, 2012, Virudhunagar District at Srivilliputhur in his Special Sessions Case No.37 of 2016 dated 08.10.2021.

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.KRISHNAVENI M, Advocate for the petitioner and of M/S.E.ANTONY SAHAYA PRABAHAR, Additional Public Prosecutor on behalf of the Respondent the court made the following order:-



(Order of the Court was made by R.SURESH KUMAR, J.)

This is the third application for suspension of sentence. The first petition filed along with the appeal was dismissed by citing a judgment of the Hon'ble Supreme Court. The second petition was also considered and dismissed by order dated 06.02.2023 by a coordinate Bench, where they wanted to take up the main appeal itself, for which, some date has been fixed. On the said date, the appeal could not be taken up. We do not find any fresh reason to interfere with the decision given. We will take up the main appeal for hearing and the earlier second petition for suspension of sentence, since has been dismissed, we are not inclined to entertain this petition, which has been filed third time. Therefore, it also deserves to be dismissed. Accordingly, this petition is dismissed. However, post the main appeal for hearing in the 2nd week of June, 2023.

sd/-

17/04/2023

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/04/2023

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

RR

TO

- 1 THE JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, 2012,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.
- 2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE
RAJAPALAYAM NORTH POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.5997 of 2023

IN

CRL A(MD) No.29 of 2022

Date :17/04/2023