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

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

PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN

CRL MP(MD) No.10146 of 2023
and
CRL A(MD)No.374 of 2023

K.PERIYAKARUPPAN

... APPELLANT/SOLE ACCUSED

Vs

THE STATE REPRESENTED BY
THE INSPECTOR OF POLICE
D3-KOODAL PUTHUR POLICE STATION,
MADURAI DISTRICT.
(CRIME NO. 195/2013)

... RESPONDENTS/COMPLAINANTS

Criminal Miscellaneous 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 Special Judge, Principal Special Court for exclusive Trial of cases under POSCO Act, Madurai, in Spl.SC.No.70 of 2017 by the Judgment and conviction dated 21.03.2023 and enlarge the Petitioner/ Accused on bail, pending disposal of the above said Criminal Appeal.

PRAYER IN CRL.A(MD).374/2023:

Pleased to call for records and set aside the Judgment and Conviction 21.03.2023 by the Learned Special Judge, Principal Special Court for Exclusive Trial of cases under POCSO Act, Madurai, in Spl.S.C.No.70 of 2017 and acquit the Appellant.

Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S RAJA S, Advocate for the petitioner and of Mr.R.SIVAKUMAR, Government Advocate(crl.side) on behalf of the Respondent, the Court made the following order:-



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This petition has been filed to suspend the sentence of imprisonment imposed by the learned Special Judge, Principal Special Court for Exclusive Trial of Cases under POSCO Act, Madurai, in Spl.SC.No.70 of 2017 by the judgment and conviction dated 21.03.2023 and enlarge the petitioner/accused on bail pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner would submit that this is the second suspense of sentence petition. Earlier petition filed in CrI.MP(MD)No.7234 of 2023 in CrI.A(MD)No.374 of 2023 was dismissed by this Court, on 23.06.2023.

3.Considering the facts and circumstances of the case, this Court concurred with the reasons assigned in CrI.MP(MD)No.7234 of 2023 dated 23.06.2023 and does not find any new ground to entertain this petition. Hence, this Criminal Miscellaneous Petition is dismissed.

sd/-

17/07/2023

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/08/2023

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

dss

TO

1 THE SESSIONS JUDGE,
PRINCIPAL SPECIAL COURT FOR
EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT, MADURAI.



2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE
D3-KOODAL PUTHUR POLICE STATION, MADURAI DISTRICT.

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

ORDER
IN
CRL MP(MD) No.10146 of 2023
and
CRL A(MD)No.374 of 2023
Date :17/07/2023

SS/BUC/03/08/2023/3P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023