



CRL MP(MD) No.10780 of 2023

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

Thursday, the Nineteenth day of October Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice M.SUNDAR
and

The Hon`ble Mr.Justice R. SAKTHIVEL
CRL MP(MD) No.10780 of 2023
in
CRL A(MD) No.378 of 2022

M.THANGASAMY

... PETITIONER/ APPELLANT

Vs

State Rep.by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
SEITHUR RURAL POLICE STATION,
RAJAPALAYAM,
CRIME NO.131 OF 2015.

... RESPONDENT/COMPLAINANT

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 imposed on the Petitioner/Appellant/Sole Accused passed in Spl.SC.No.33 of 2015 on the file of the Learned Sessions Judge cum Special Court for Exclusive Trial of Cases under the Protection of Children from Sexual Offences Act 2012, Virudhunagar District at Srivilliputhur, dated 18.02.2022 and enlarge him onbail pending disposal of the instant criminal appeal.

Prayer in CRL A(MD).378 OF 2022 :

To call for the records in Spl.SC.No.33 of 2015 on the file of the Learned Sessions Judge Cum Special Court for Trial of Cases under the Protection of Children From Sexual Offences Act 2012, Virudhunagar District at Srivilliputhur and set aside the order of conviction and sentence dated 18.02.2022.

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 MR.S.SRIKANTH, Advocate for M/S.APN LAW ASSOCIATES for the petitioner and

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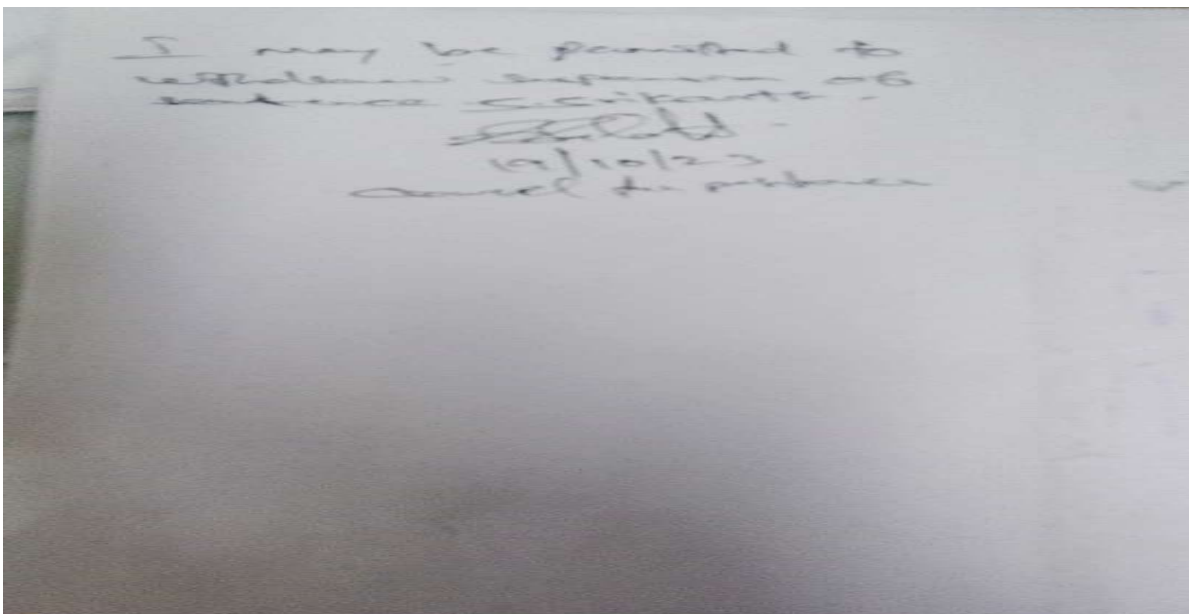
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of MR.A.THIRUVADI KUMAR, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

(Order of the Court was made by M.SUNDAR,J.)

When the captioned 'Criminal Miscellaneous Petition' ['Crl.M.P.' for the sake of brevity, convenience and clarity] which has been filed with a suspension of sentence prayer under Section 389(1) of 'The Code of Criminal Procedure, 1973 (2 of 1974)' [hereinafter 'Cr.PC' for the sake of brevity and clarity] came up for hearing, it came to light that the main criminal appeal is ripe for hearing and Mr.A.Thiruvadi Kumar, learned State Additional Public Prosecutor is also ready to argue the appeal.

2. Learned counsel for petitioner/appellant submitted that the main appeal can be heard out on 16.11.2023. In this backdrop, learned counsel made an endorsement in the case file qua captioned Crl.M.P. and a scanned reproduction of the same is as follows:





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3. In the light of narrative thus far, captioned Crl.M.P. is disposed of as closed/withdrawn albeit (though obvious) preserving all the rights of the petitioner/appellant to come up with another suspension of sentence plea if there is delay in the appeal being heard out.

sd/-
19/10/2023

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/10/2023

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

TO

1 THE SESSIONS JUDGE CUM SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES UNDER THE PROTECTION OF CHILDREN FROM SEXUAL OFFENCES ACT 2012, VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION, SEITHUR RURAL POLICE STATION, RAJAPALAYAM.

3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

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

ORDER
IN

CRL MP(MD) No.10780 of 2023

in

CRL A(MD) No.378 of 2022

Date :19/10/2023

RS/JGB/SAR-(27.10.2023) 3P 5C

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