



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

Wednesday, the Twelfth day of April Two Thousand and Twenty Three

PRESENT

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

CRL MP(MD) No.516 of 2023
IN
CRL A(MD)No. 22 of 2023

GANESAMOORTHY ...PETITIONER/APPELLANT/SOLE ACCUSED
(NOW CONFINING AT MADURAI CENTRAL PRISON)

Vs

THE STATE REP BY,
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
MELUR, MADURAI DISTRICT.
CRIME NO.83 OF 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 Sentence imposed against the Petitioner/Appellant in Spl.SC.No.16 of 2016 dt.29.11.2021 on the file of the Honble Principal Special Court for Exclusive trial of Cases under POCSO Act,Madurai and release the Petitioner/Appellant on bail till the disposal of the main appeal.

PRAYER IN CRL A(MD)No. 22 OF 2023

Pleased to call for the entire records connected to the judgment dated 29.11.2021 in Spl.S.C.No.16 of 2016 on the file of the Hon'ble Principal Special Court for Exclusive trial of Cases under Prevention of Children from Sexual Offences Act,Madurai and set aside the conviction and sentence imposed against the appellant and acquit the appellant.

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.MANIMEGALAI M, Advocate for the petitioner and of MR.E.ANTONY SAHAYA PRABAHAR, Additiona,l 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 Criminal Miscellaneous Petition has been filed to suspend the sentence imposed against the petitioner / appellant in Spl.S.C.No.16 of 2016, dated 29.11.2021 on the file of the Principal Special Court for Exclusive Trial of Cases under Prevention of Children from Sexual Offences Act, Madurai and release the petitioner / appellant on bail till the disposal of the main appeal.

2.Heard Ms.M.Manimegalai, learned counsel appearing for the petitioner / appellant and Mr.E.Antony Sahaya Prabakar, learned Additional Public Prosecutor appearing for the respondent.

3.We have gone through the evidences recorded by the trial Court, especially, P.W.1, P.W.2, P.W.3 and P.W.4. The evidences of these witnesses are corroborating with each other and are cogent. Therefore, at this juncture, we are not inclined to entertain this petition. Hence, this Criminal Miscellaneous Petition stands dismissed.

sd/-
12/04/2023

/ TRUE COPY /

/04/2023
Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MYR
TO

- 1 THE PRINCIPAL SPECIAL JUDGE
FOR EXCLUSIVE TRIAL OF CASES UNDER
PREVENTION OF CHILDREN AND SEXUAL OFFENCE
ACT, MADURAI.
- 2 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 3 THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION, MELUR,
MADURAI DISTRICT.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CRL MP(MD) No.516 of 2023
IN
CRL A(MD)No. 22 of 2023
Date :12/04/2023

PKP/BUC/SAR-4/20.04.2023/ **2P/5C**

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