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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 23.04.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

CrI.M.P.No.4192 of 2024

in

CrI.A.No.134 of 2024

D.Sivaraj

... petitioner

-Vs-

The Inspector of Police
All Women Police Station,
Villupuram.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 389 (1) of the Criminal Procedure Code, to suspend the sentence imposed against the petitioner on 01.02.2018 in S.C.No.132 of 2014 on the file of the Sessions Court for Magalir Neethi Mandram (Fast Track Mahila Court) Villupuram and release the petitioner on bail till the disposal of the Criminal appeal.

For petitioner : Mr.P.Pugalenth

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

The criminal miscellaneous petition has been filed by the petitioner / A1 as against the judgment and sentence passed by the



learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) Villupuram in S.C.No.132 of 2014 dated 01.02.2018 and convicted for an offence under Sections 307, 394 and 376 r/w 511 IPC. The petitioner found guilty for the offence under Section 376 r/w 511 IPC convicted and sentenced to undergo five years rigorous imprisonment and to pay a sum of Rs.5,000/- towards fine, in default to undergo simple imprisonment for a further period of three months; for the offence under Section 307 IPC, the petitioner convicted and sentenced to undergo ten years rigorous imprisonment and to pay a sum of Rs.10,000/- towards fine, in default to undergo simple imprisonment for a further period of six months and for the offence under Section 394 IPC, the petitioner convicted and sentenced to undergo ten years rigorous imprisonment and to pay a sum of Rs.10,000/- towards fine, in default to undergo simple imprisonment for a further period of six months. The above said sentences shall run concurrently Challenging the same, the appellant has filed the criminal appeal and the present miscellaneous petition seeking suspension of sentence.



2. The learned counsel for the appellant has raised several arguable grounds insofar as the appellant and it will take some more time for this Court to take up the criminal appeal and to dispose of the same.

3. In the facts and circumstances of the case, the Criminal Miscellaneous Petition is ordered and the punishment of imprisonment imposed as against the appellant is hereby suspended and the petitioner / A1 is directed to be released on bail on the following conditions:

a) the appellant shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) to the satisfaction of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court) Villupuram along with two sureties for a like sum;

b) the appellant shall report before the Court below on the first working day of every month, pending disposal of the appeal.

23.04.2024

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Note: Issue order copy on 23.04.2024



To
WEB COPY

1. The learned Sessions Judge,
The Magalir Neethi Mandram (Fast Track Mahila Court),
Villupuram.
2. The Superintendent,
Central Prison,
Cuddalore.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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M.DHANDAPANI, J.

vji

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