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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 22.04.2024

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THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

Crl.M.P. No.5874 of 2024
in Crl.A. No.381 of 2024

1. L.William Stanley
2. S.Lawrance

... petitioners

-Vs-

1. The Assistant Commissioner of Police,
Nungambakkam Range,
Chennai-34.

2. W.Gowsalya

... Respondents

Prayer: Criminal Miscellaneous Petition is filed under Sections 389 (i) of the Criminal Procedure Code, to suspend the sentence passed by the learned Principal Sessions Judge, Chennai Special Court under Schedule Castes and Schedules and Tribes (Prevention of Atrocities Act, 1989) in Spl. S.C.No.02 of 2022 dated 15.03.2024. to enlarge the petitioner on bail.

For petitioner : Mr.S.Vijayaraghavan

For Respondent : Mrs.G.V.Kasthuri

Addl. P.P.

Mr.P.Loganathan R2

ORDER

The Criminal Appeal has been filed as against the Judgment and sentence passed by the learned Principal Sessions Judge, Chennai,



Special Court under Schedule Castes and Schedules Tribes (Prevention of Atrocities Act, 1989) in Spl.SC.No.02 of 2022, dated 15.03.2024 and convicted for an offence under Section 498 A of IPC read with Section 3(i)(r) and 3(i)(s) of SC/ST (POA) Acts and the accused found guilty for the offence under section 498 A of IPC and sentenced to undergo three years simple imprisonment each and to pay a fine of Rs.5000/- each, in default, to undergo three months of simple imprisonment each and for the offence under Section 3(i)(r) and 3(i)(s) of SC/ST Act, the accused are sentenced to undergo five years simple imprisonment each and to pay a fine of Rs.5000/- each, in default, to undergo three months of simple imprisonment each. The above said sentences shall run concurrently Challenging the same, the appellants have filed Criminal appeal and the present miscellaneous petition seeking suspension of sentence of imprisonment.

2. The learned counsel for the appellants has raised several arguable grounds insofar the appellants 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 appellants is hereby suspended and they are directed to be released on bail on the following conditions:

a) the appellants shall execute a bond for a sum of Rs.10,000/- each to the satisfaction of the learned Principal Sessions Judge, Chennai (Special Court under Schedule Castes and Schedules Tribes (Prevention of Atrocities Act) 1989) along with two sureties for a like sum;

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

22.04.2024

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Note: Issue order copy on 22.04.2024

To

1. The Assistant Commissioner of Police,
Nungambakkam Range, Chennai-34.

2. The Principal Sessions Judge, Chennai, Special Court under Schedule Castes and Schedules and Tribes (Prevention of Atrocities Act, 1989)

3. The Superintendent, Central Prison, Puzhal, Prison-1, Chennai.

4. The Public Prosecutor, High Court of Madras.



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M.DHANDAPANI, J.

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