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*Crl.M.P.No.7531 of 2024
in Crl.A.No.536 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.05.2024

CORAM:

THE HON'BLE MR.JUSTICE **K. KUMARESH BABU**

Crl.M.P.No.7531 of 2024
in
Crl.A.No.536 of 2024

1.Prakash
2.Sundarasamy ... Petitioners

Vs.

1.The State by
Deputy Superintend of Police,
Periyanaickenpalayam Sub Division,
Thudialur Police Station,
Coimbatore District,
Crime No.697 of 2016

2.Nagarajan ... Respondents

PRAYER: Criminal Miscellaneous Petition has been filed under Section 374(1) of Cr.P.C to suspend the sentence imposed on the petitioners by the judgment dated 28.03.2024 passed in S.C.No.9 of 2023 on the file of the Special Court for Trial of cases under SC/ST (POA) Act, Coimbatore, pending disposal of the appeal.



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WEB COPY For Petitioners : Mr.K.Sudhakar

For Respondent : Mr.L.Baskaran,
Government Advocate (Crl. Side)

ORDER

The first petitioner, who is the first accused in S.C.No.9 of 2023, was convicted and sentenced to undergo two years of imprisonment for the offence under section 324 IPC r/w 3(2)(va) of SC/ST (POA) Act and a fine of Rs.500/- in default one week of simple imprisonment for the offence under section 341 IPC r/w 3(2)(va) of SC/ST (POA) Act and the second petitioner, who is the eighth accused in S.C.No.9 of 2023, was convicted and sentenced to undergo two years of imprisonment for the offence under section 324 IPC r/w 3(2)(va) of SC/ST (POA) Act.

2. The learned counsel for the petitioners submitted that the first petitioner has already paid the fine amount and as such, the sentences of the petitioners have been suspended by the trial court. Hence, he prayed for suspension of sentence.



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3. Considering the said circumstances, the substantial sentence of imprisonment imposed on the petitioners are suspended till the disposal of the appeal and the petitioners are ordered to be enlarged on bail, on condition that they shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Special Court for Trial of cases under SC/ST (POA) Act, Coimbatore.

4. Further, the petitioners shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m. until the disposal of the appeal and if they are not able to appear before the Trial Court on that day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence as directed by the Trial Court.

5. Accordingly, this Criminal Miscellaneous Petition is ordered.



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To

1. The Special Court for Trial of cases under SC/ST (POA) Act, Coimbatore.
2. The Public Prosecutor,
High Court, Madras.

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