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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.07.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

**Crl.M.P. No.9810 of 2024
in Crl.A.No.874 of 2024**

Kavin
Petitioner

...

-Vs-

The State Rep.by
The Inspector of Police,
Harur Police Station,
Dharmapuri District.
Crime No.391 of 2018

... Respondent

Prayer: Criminal Miscellaneous Petition is filed under Section 389(1) of the Criminal Procedure Code, to suspend the sentence of imprisonment imposed in the judgment dated 25.01.2023 made in Spl.S.C.No.31 of 2018 on the file of the Fast Track Mahila Court, Dharmapuri and enlarge the petitioner on bail, pending disposal of the criminal appeal.

For petitioner : Mr.J.Pradeep

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



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ORDER

The Criminal Appeal has been filed as against the Judgment and sentence passed by the Fast Track Mahila Court, Dharmapuri, in Spl.S.C.No.31 of 2018, dated 25.01.2023, in and by which, the petitioner was convicted for the offence under Sections 8 and 10 of POCSO Act and in respect of Section 8 of POCSO Act, the petitioner was sentenced to undergo rigorous imprisonment for three years and to pay a fine of Rs.5,000/-, in default, to undergo further simple imprisonment for a period of three months, and in respect of Section 10 of POCSO Act, he was sentenced to undergo rigorous imprisonment for a period of five years and pay a fine of Rs.7,000/-, in default, to undergo further simple imprisonment for a period of three months. Challenging the same, the appellant has filed the Criminal appeal and the present miscellaneous petition seeking suspension of sentence of imprisonment.

2. The learned counsel for the petitioner has raised several arguable grounds insofar the appeal is concerned 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 petitioner is hereby suspended and he is directed to be released on bail on the following conditions:

- a) the petitioner shall execute a bond for a sum of Rs.10,000/- to the satisfaction of the Fast Track Mahila Court, Dharmapuri, along with two sureties for a like sum;*
- b) the petitioner shall report before the Court below on the first working day of every month, pending disposal of the appeal.*

09.07.2024

ssb

Note: Issue order copy on 09.07.2024

To



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1. The Inspector of Police,
Harur Police Station,
Dharmapuri District.
2. The Fast Track Mahila Court, Dharmapuri.
3. The Superintendent,
Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.



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M.DHANDAPANI, J.

ssb

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