



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 03.07.2024

CORAM

THE HON'BLE MR.JUSTICE M.DHANDAPANI

Crl.M.P.No.9528 of 2024

in

Crl.A.No.878 of 2024

Kulaiyan @ Rajamanikam

... petitioner

-Vs-

The Inspector of Police
All Women Police Station,
Bhavani,
Erode.
(Crime No.8 of 2020)
Respondent

...

PRAYER: Criminal Miscellaneous Petition is filed under Section 389 (1) of the Criminal Procedure Code, to suspend the sentence of imprisonment to the petitioner as ordered by the learned Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court), Erode, vide order dated 14.12.2021 passed in Spl.S.C.No.15 of 2021 and enlarge the petitioner/appellant on bail, pending disposal of the criminal appeal.

For petitioner : Mr.P.Pugalenth

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

**ORDER**

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The criminal miscellaneous petition has been filed by the petitioner to suspend the sentence imposed on the petitioner vide judgment dated 14.12.2021 passed in Spl.S.C.No.15 of 2021 by the learned Sessions Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Erode and enlarge the petitioner on bail, pending disposal of the above criminal appeal.

2. The petitioner was convicted for the offence under Sections 5(1), (m) punishable under Section 6 of POCSO Act, 2012 and sentenced to undergo twenty 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. Challenging the same, the appellant has filed the criminal appeal and the present miscellaneous petition seeking suspension of sentence.

3. 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.

4. In the facts and circumstances of the case, the Criminal



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Miscellaneous Petition is ordered and the punishment of imprisonment imposed as against the petitioner is hereby suspended and the petitioner 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/- (Rupees Ten Thousand only) to the satisfaction of the learned Sessions Court, Magalir Neethi Mandram, Fast Track Mahila Court, Erode, 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.

03.07.2024

vji

Note: Issue order copy on 03.07.2024

To



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1. The learned Sessions Judge,
Magalir Neethi Mandram,
Fast Track Mahila Court,
Erode.
2. The Central Prison,
Coimbatore.
3. The Public Prosecutor,
High Court of Madras,
Madras.



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M.DHANDAPANI, J.

vji

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