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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 31.07.2024

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THE HON'BLE MR.JUSTICE M.DHANDAPANI

**Crl.M.P. No.10655 of 2024
in Crl.A. No.968 of 2024**

Alexander

... petitioner

-Vs-

1. The Deputy Superintendent of Police,
Villupuram Sub Division.

2. The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

3. Chandrasekar

... Respondents

Prayer: Criminal Miscellaneous Petition is filed under Sections 389 (i) of the Criminal Procedure Code, to suspend the sentence imposed by the learned Sessions Judge, Special Court for Exclusive Trial of cases registered under the scheduled castes and Scheduled Tribes (Prevention of Atrocities Act, 1989) Villupuram by judgment dated 28.06.2024 in Special Sessions Case No.53 of 2019.

For petitioner	: Mr.V.Surendar	
For Respondent	: Mrs.G.V.Kasthuri	RR1 & 2
	Addl. P.P.	
	Mr.G.Mayakrishnan	R3

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) Villupuram in Spl.SC.No.53 of 2019, dated 28.06.2024 and convicted the appellant for an offence under Section 3(i)(r) of SC/ST (POA) Acts and sentenced to undergo six months simple imprisonment and to pay a fine of Rs.5000/- , in default, to undergo one month imprisonment and also convicted under Section 3(l)(s) of the SC/ST (POA) Act and the accused is sentenced to undergo six months simple imprisonment and to pay a fine of Rs.5000/-, in default, to undergo for a period of one month. 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 appellant submit that there are lot of material contradictions in the evidence of the prosecution and the prosecution evidence is also highly unbelievable. It is further submitted that apprehending arrest the present petition for suspension of sentence is filed and the petitioner is not in jail.

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 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 Sessions Judge, Special Judge for trial of SC/ST Cases, 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 at 10.30 AM, pending disposal of the appeal.

31.07.2024

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Note: Issue order copy on 01.08.2024

To

1. The Deputy Superintendent of Police,
Villupuram Sub Division.

2. The Inspector of Police,
Vikravandi Police Station,
Villupuram District.

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

4 The Public Prosecutor, High Court of Madras.



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M.DHANDAPANI, J.

rli

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