



CRL.M.P.(MD)No.11336 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty Ninth day of October Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL.M.P.(MD)No.11336 of 2024

in

CRL.A.(MD)No.869 of 2024

SASIKUMAR

... Appellant / Appellant

Vs

1 THE STATE OF TAMIL NADU
REP BY THE DEPUTY SUPERINTENDENT OF POLICE,
PERIYAKULAM SUB DIVISION,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.
CRIME NO. 357/2016

... Respondent / Respondent

2 MUTHURENGAN

... 2nd Respondent / 2nd Respondent /
De-facto Complainant

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed upon the petitioner/ accused passed by the learned Special court for Trial of cases under SC/ST (POA) Act Theni in Spl S.C No. 52/2020 dt. 16.08.2024 and enlarge the petitioner on bail pending disposal of the criminal.

Prayer in CRL A(MD). 869/ 2024 :

To call for the records pertaining to the order dated 16.08.2024 in Spl S.C No. 52/2020 dt. 16.08.2024 on the file of learned Special court for Trial of cases under SC/ST (POA) Act Theni and to set aside the same by allowing this Criminal appeal.



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Order : This Criminal Miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/s.S.SIVAPRAKASH, Advocate for the petitioner and of M/s.M.SAKTHI KUMAR, Government Advocate (Crl. Side) on behalf of the Respondents the Court made the following order:-

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Theni, dated 16.08.2024 in Spl.S.C.No.52 of 2020 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2.The learned counsel for the petitioner submitted that the petitioner, who is the accused in this case has been convicted by the learned trial judge, for the alleged offence under Section 323 of IPC and sentenced him to undergo three months rigorous imprisonment and to pay a fine of Rs.1,000/- in default to undergo one month simple imprisonment.

3.It is submitted by the learned counsel for the petitioner that the sentence was already suspended by the trial Court.

4. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future and also considering the fact the petitioner are already enlarged on bail by the trial Court, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the



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petitioner is directed to be enlarged on bail on condition that the petitioner 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 Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Theni, and on further condition that the petitioner shall appear before the said Court once in a week at 10.30 a.m. pending appeal.

sd/-
29/10/2024

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/ 11 /2024
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TM

TO

1. THE SESSIONS JUDGE
SPECIAL COURT FOR TRIAL OF CASES UNDER SC/ST
(POA) ACT, THENI.

2 THE DEPUTY SUPERINTENDENT OF POLICE,
PERIYAKULAM SUB DIVISION,
PERIYAKULAM POLICE STATION,
THENI DISTRICT.

3. THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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ORDER
IN
CRL.M.P.(MD)No.11336 of 2024
in
CRL.A.(MD)No.869 of 2024
Date :29/10/2024

PSP/ JGB /SAR /05.11.2024/ 4P/ 4C

Madurai Bench of Madras High Court is issuing certified
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