



IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR.

CRIMINAL APPEAL NO. 39 OF 2025

Anthony Shankar Tembhekar

.vs.

State of Maharashtra, through PSO, PS Jaripatka, Nagpur

Office Notes, Office Memoranda of Coram,
appearances, Court's orders of directions Court's or Judge's orders.
and Registrar's Orders.

Mrs Smita Taksande, Advocate for the appellant
Ms Mrunal Barabde, APP for the respondent/State

CORAM : G.A. SANAP J.

DATE : JANUARY 21, 2025

Heard.

2. **ADMIT.**

3. Issue notice to the respondent.

4. Learned APP waives service of notice on behalf
of respondent/State.

5. Call for record and proceedings.

CRIMINAL APPLICATION (APPA) NO.64 OF 2025

6 Heard.

7 This is an application for suspension of
substantive sentence. Heard the learned Advocate for the
appellant and learned APP for the State. Perused the
record and proceedings.

8 The appellant/accused is convicted for the offence punishable under Section 12 of the Protection of Children From Sexual Offences Act, 2012 (for short 'the POCSO Act') and he is sentenced to suffer rigorous imprisonment for six months and to pay a fine of Rs.2000/-.

9 It is stated that during the pendency of the trial the appellant was on bail. There is no allegation of misuse of liberty by him during the pendency of the trial. It is pointed out that considering the quantum of the substantive sentence, the learned Sessions Judge was pleased to suspend the substantive sentence. It is undisputed that the appellant has deposited the fine amount. In the fact and circumstances, the application is **allowed.**

10 The substantive sentence awarded by the learned Additional Sessions Judge (Special judge POCSO Court), Nagpur in Special (child) Case No. 135 of 2023 vide judgment and order dated 07.11.2024 shall remain suspended during the pendency of this appeal.

11 Appellant- **Anthony Shankar Tembhekar** be released on bail on furnishing PR bond in the sum of Rs.15,000/- (Rupees Fifteen Thousand only) with surety

in the like amount.

12 Bail before the trial Court.

13 The criminal application stands **disposed of**,
accordingly.

(G. A. SANAP, J)

Namrata