



CRL MP(MD) NO. 6554 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 05-06-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

CRL MP(MD) NO. 6554 of 2025

IN

CRL A(MD) NO. 593 OF 2025

Mohan

Petitioner(s)

Vs

1.The State of Tamilnadu,
Rep. by the Deputy Superintendent of Police,
Thiruchuli Sub Division,
Narikudi Police Station,
Virudhunagar District.
Crime No.42 of 2020
2.Arumugam

Respondent(s)

For Petitioner(s):

Mr.G.Mariappan

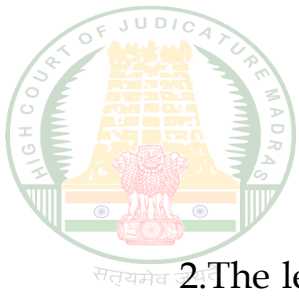
For Respondent(s):

Mr.K.Gnanasekaran

Government Advocate (Criminal Side)

ORDER

The Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned learned Sessions Judge, Special Court for Trial of SC/ST (PoA) Act Cases, Virudhunagar District at Srivilliputtur, dated 12.05.2025, in SC.No.16 of 2020 till the disposal of appeal.



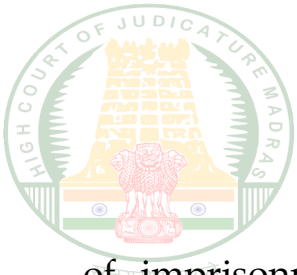
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2.The learned counsel for the petitioner submitted that the petitioner has been convicted by the learned trial judge, for the alleged offences under Sections 323 IPC, Section 3(2)(va) of SC/ST (PoA) Act and Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act and sentenced him to undergo 6 months simple imprisonment and to pay a fine of Rs.500/- in default to undergo 1 month simple imprisonment for the offence under Sections 323 IPC and Section 3(2)(va) of SC/ST (PoA) Act and sentenced him to undergo 1 year simple imprisonment and to pay a fine of Rs.10,000/- in default to undergo 1 month simple imprisonment for the offence under Section 4 of the Tamil Nadu Prohibition of Harassment of Women Act. The sentences were ordered to run concurrently. Set off under Section 428 Cr.P.C. is also ordered.

3.The learned counsel for the petitioner submitted that there was delay in lodging the complaint. Further, no doctor has been examined to prove the offence punishable under Section 323 IPC. PW1 to PW5 are all close relatives and despite the occurrence is said to have taken place in the public, no independent witnesses have been examined. He therefore, prays that the sentence be suspended till the disposal of the appeal.

4. Having regard to the fact that there are arguable points involved in the appeal, the suspension of sentence petition is allowed and the substantive sentence



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of imprisonment alone is suspended pending disposal of the appeal on the
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following conditions:

- i. that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of SC/ST (PoA) Act Cases, Virudhunagar District at Srivilliputtur;
- ii. that the petitioner shall appear before the said Court once in a week, at 10.30 a.m. till the disposal of appeal.

5. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
05/06/2025

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/06/2025

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

MBI
TO

1. THE SESSIONS JUDGE,
SPECIAL COURT FOR TRIAL OF SC/ST (POA) ACT CASES,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.



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2. THE DEPUTY SUPERINTENDENT OF POLICE,
WHIRUCHULI SUB DIVISION, NARIKUDI POLICE STATION,
VIRUDHUNAGAR DISTRICT.

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

+1 CC to M/s.G.MARIAPPAN, Advocate (SR-5971[I] dated 05/06/2025)

ORDER
IN
CRL MP(MD) No.6554 of 2025
Date :05/06/2025

PR/11.06 .2025 4P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023