

ITEM NO.1713

COURT NO.8

SECTION II-C

S U P R E M E C O U R T O F I N D I A  
RECORD OF PROCEEDINGS

SPECIAL LEAVE PETITION (CRIMINAL) Diary No(s). 10522/2022

M. RAJADURAI

Petitioner(s)

VERSUS

STATE REP. BY THE INSPECTOR OF POLICE

Respondent(s)

(FOR ADMISSION and I.R. and IA No.72771/2022-EXEMPTION FROM FILING  
O.T. and IA No.72770/2022-EXEMPTION FROM SURRENDERING WITHIN TIME )

Date : 17-05-2022 This petition was called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE C.T. RAVIKUMAR  
[IN CHAMBER]

For Petitioner(s) Mr. Llam Paridi, Adv.  
Mr. R. Vishnu Kumar, Adv.  
Mr. Pradhuman Gohil, Adv.  
Mrs. Taruna Singh Gohil, AOR  
Mr. Alapati Sahithya Krishna, Adv.

For Respondent(s)

UPON hearing the counsel the Court made the following  
O R D E R

I.A. No. 72770 of 2022

This is an application seeking exemption from surrendering. The petitioner stands convicted by the trial court for the of offences punishable under Section 363 & 366 of the IPC and he was sentenced to undergo rigorous imprisonment of four years each for the stated offences. Fine and and default sentences were also ordered in respect of the said conviction. For the conviction under Section 6 of POSCO Act, he was sentenced to undergo imprisonment for 10 years.

The conviction for the stated offences was confirmed by the High Court. However, the High Court converted the conviction under

Section 6 of the POCSO Act as under Section 4 thereof and reduced the term of imprisonment from 10 years to 07 years. The substantive sentence of imprisonment imposed for the stated offences are to be run concurrently. After hearing the submissions made by the learned counsel and after perusing the records I am of the view that application can be allowed. In the said circumstances the application stands allowed and the petitioner is exempted from surrendering.

The registry shall process the file to list it before the appropriate bench.

(SHUBHAM YADAV)  
SENIOR PERSONAL ASSISTANT

(MATHEW ABRAHAM)  
COURT MASTER (NSH)