

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT

THE HONOURABLE MR. JUSTICE V.G.ARUN

TUESDAY, THE 5TH DAY OF MAY 2020/15TH VAISAKHA, 1942

CRIMINAL APPL TMP NO. 381 OF 2020

(AGAINST THE JUDGMENT DATED 03.03.2020 IN S.C 17 / 2014
ON THE FILES OF THE SESSION'S JUDGE, THRISSUR ARISING
FROM CRIME 329 / 2012 OF KUNNAMKULAM POLICE STATION)

APPELLANT / ACCUSED

JITHIN, AGED 29 YEARS,
S/O JAYAN, PULIYANAMPARAMBIL HOUSE,
PUDUSERRY DESOM, CHOONDAL,
KUNNAMKULAM, THRISSUR DISTRICT.

BY ADV. SRI RAJIT

RESPONDENT/STATE

STATE OF KERALA, REPRESENTED BY THE PUBLIC
PROSECUTOR,
HIGH COURT OF KERALA, ERNAKULAM, KOCHI-682 031..

BY ADV. SRI.E.C.BINEESH, PUBLIC PROSECUTOR

THIS CRIMINAL APPEAL HAVING COME UP FOR ADMISSION ON
05.05.2020, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

V.G.ARUN, J.

Crl. Appl.TMP No. 381 of 2020
&
Crl.M.A.No.1 of 2020

Dated this the 5th day of May, 2020.

ORDER

Crl. Appl.TMP No. 381 of 2020

Admit.

Learned Public Prosecutor takes notice for the respondent.

The learned counsel for the petitioner undertakes to impleaded victim as mandated under Section 15 A (5) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989. The learned Public Prosecutor to file objections, if any, against the prayer for the suspension of the sentence imposed on the petitioner.

Crl.M.A.No.1 of 2020

Considering the fact that the petitioner has been under

incarceration from 13.03.2020, consequent to the judgment of the Trial Court and the directions issued by the Honourable Supreme Court in **Re: Contagion of COVID-19 Virus In Prisons case (Suo Motu Writ Petition (C).No.1 of 2020)** and a Full Bench of this Court in **W.P(C).No.9400 of 2020** and by a Full Bench of this Court is with the adjective of minimising the number of inmates in prisons so as to follow the social distancing norms and thereby averse the spread of the COVID-19 pandemic, the execution of sentence imposed on the petitioner is provisionally suspended and the petitioner directed to be enlarged on bail for a period of two months. Execution of sentence imposed on the petitioner is suspended on condition of the petitioner executing a bond for Rs.50,000/- (Rupees fifty thousand only) with two solvent sureties for the like amount, to the satisfaction of the trial court and on the remittance of the fine amount within thirty days.

V.G.ARUN
JUDGE