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Crl.M.P.No.1693 of 2022  
in Crl.A.No.131 of 2022

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**N.SESHASAYEE, J.,**

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed on the petitioner in S.C.No.71 of 2015 by the Sessions(Fast Track Mahila) Judge Court, Namakkal by the Judgment dated 08.10.2021.

2.Heard both sides and perused the materials available on record.

3.It is seen that the petitioner/A1 is convicted for the offence under Section 5(1), 5j(ii) r/w 6 of the POCSO Act. He was sentenced to undergo 20 years Rigorous Imprisonment for each of the offences and to pay a fine of Rs.5,000/- each in default of fine amount to undergo 6 months Simple Imprisonment. The sentence imposed were ordered to run concurrently.

4.This is a case of serious offence under the POCSO Act wherein the petitioner had committed offence very emotively leading to the pregnancy of the victim.



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5.The points raised by the learned counsel for the petitioner/A1 are to be considered at the time of final hearing of the appeal, since the offence is of serious nature. It is also seen that the petitioner/A1 had refused to marry the victim/P.W.2. Further, when the victim, her parents and her brother went to the house of A1 to convince him to marry the victim, he threatened them to move away from the place.

6.Since there are no favourable grounds to suspend the sentence imposed on the accused, this Court is of the view that it is not a fit case where the sentence can be suspended.

7.Accordingly, the Criminal Miscellaneous Petition is dismissed.

**17.02.2022**

Tsg/dk



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