



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Friday, the Sixteenth day of December Two Thousand and Twenty Two

PRESENT

The Hon`ble Dr.Justice G.JAYACHANDRAN
and
The Hon`ble Mr.Justice SUNDER MOHAN

CRL MP(MD) No.14390 of 2022

IN

CRL A(MD) No.548 of 2022

SUNDARARAJAN

... PETITIONER/APPELLANT

Vs

State Rep.by
THE INSPECTOR OF POLICE
SRIVILLIPUTHUR ALL WOMEN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
(CRIME NO.9/2020)

... RESPONDENT/RESPONDENT

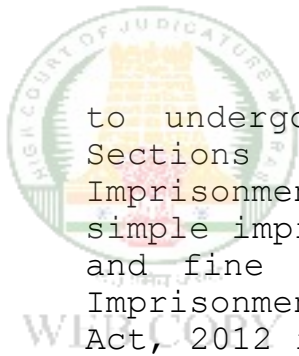
Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to enlarge the petitioner on bail by suspending the sentence imposed by the Special Court for POCSO Act Cases, Virudhunagar District at Srivilliputhur made in SC No.60/2020 on his file dated 20.07.2022, pending the disposal of the main Criminal Appeal.

Prayer in CRL A(MD).548/2022 :

To call for the records in the judgment of the Special Court for POCSO Act Cases, Virudhunagar District at Srivilliputhur made in Spl.S.C.No.60 of 2020 on his file dated 20.07.2022 and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.S.RAMASAMY, Advocate for the petitioner and of MR.S.RAVI, Additional Public Prosecutor on behalf of the Respondent, the court made the following order:-

The petitioner, who is the father of the victim child, aged 7 years, now been convicted for offence under Sections 3(d) r/w 4, and 5(1) (m) (n) r/w 6 of POCSO Act, 2012 and sentenced to undergo 20 years of Rigorous Imprisonment and fine of Rs.5,000/-, in default, to undergo one year Simple Imprisonment for the offence under Sections 3(d) r/w 4 of POCSO Act, 2012 and to undergo 20 years of Rigorous Imprisonment and fine of Rs.5,000/-, in default,



to undergo one year Simple Imprisonment for the offence under Sections 5(m) r/w 6 of POCSO Act, 2012 and to undergo Life Imprisonment and fine of Rs.5000/-, in default, to undergo one year simple imprisonment and to undergo 20 years of Rigorous Imprisonment and fine of Rs.5,000/-, in default, to undergo one year Simple Imprisonment for the offence under Sections 5(n) r/w 6 of POCSO Act, 2012 in S.C.No.60 of 2020 by order dated 20.07.2022 on the file of the Special Court for POCSO Act Cases, Virudhunagar District at Srivilliputhur, has preferred this appeal. Pending appeal, he filed this petition seeking suspension of sentence.

2.This Court, on perusing the records, finds that the petitioner being the father of the victim child, if he is released on bail, there is every possibility for recurrence of the crime or threat to the victim. Hence, in order to protect the victim, this petition is dismissed as devoid of merits.

sd/-

16/12/2022

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/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

- 1 THE JUDGE, SPECIAL COURT FOR POCSO ACT CASES,
VIRUDHUNAGAR DISTRICT.
- 2 THE INSPECTOR OF POLICE, SRIVILLIPUTHUR ALL WOMEN POLICE STATION,
VIRUDHUNAGAR DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER

IN

CRL MP(MD) No.14390 of 2022

IN

CRL A(MD) No.548 of 2022

Date :16/12/2022

RS/BUC/SAR.2 (30.12.2022) 2P-5C