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Crl.M.P.No.11631 of 2023
in Crl.A.No.822 of 2023

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S.S. SUNDAR, J.
and
SUNDER MOHAN, J.

[Order of the Court was made by **S.S. SUNDAR, J.**]

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner/A19 by the learned Sessions Judge, Cuddalore, in Spl.S.C.No.20 of 2018 by judgment dated 04.01.2019 and to enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2.It is a case where two minor girls, who are friends in School, were pulled into brothel houses by an idly seller and were trafficked by several persons, to several places and were subjected to commercial sexual exploitation by hundreds of persons in less than 10 days.

3.The petitioner is the 19th accused in this case, who was convicted under Section 6 r/w.17 of POCSO Act and sentenced to undergo Rigorous Imprisonment for a period ten years and to pay fine of



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Rs.5,000/-, in default, to undergo Simple Imprisonment for two years.

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4.Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent.

5.On a careful examination of the evidence on record, this Court does not find any *prima facie* case in favour of the petitioner. The involvement of the petitioner/19th accused in the crime is specifically spoken by the victims themselves and no motive can be attributed to the evidence of the victim girls as against the petitioner/A19. Hence, this Court is not inclined to grant the relief of suspension of sentence to the petitioner.

6.Therefore, this Criminal Miscellaneous Petition stands dismissed, however, with liberty to the petitioner to seek the relief after a period of two years.

(S.S.S.R., J.) (S.M., J.)
02.11.2023

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