



CRL MP(MD) No.12943 of 2023

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

Friday, the Eighth day of September Two Thousand and Twenty Three
PRESENT

The Hon`ble Mr.Justice K.K. RAMAKRISHNAN
CRL MP(MD) No.12943 of 2023
in
CRL A(MD) No.47 of 2022

CHINNAKKALAI @ SEVUGAN ... PETITIONER/PETITIONER/ APPELLANT

Vs

State Rep.by
THE INSPECTOR OF POLICE
ALL WOMEN POLICE STATION,
KEERANUR,
PUDUKKOTTAI DISTRICT.
(CRIME NO.10/2020).

... RESPONDENT/RESPONDENT/RESPONDENT

Criminal Miscellaneous Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to Suspend the sentence of Imprisonment imposed in Spl S.C No. 34 of 2020 on the file of the Sessions Judge Mahila court, Pudukkottai dated 04.05.2021 and enlarge the petitioner / Appellant on bail, pending disposal of the above said criminal appeal.

Prayer in CRL A(MD).47/2022 :

To call for records and set aside the judgment and conviction dated 04.05.2021, by the learned Sessions Judge, Mahila Court, Pudukkottai in Spl.S.C.No.34 of 2020 and acquit the Appellant.

Order : This criminal miscellaneous petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S.RAMESHKUMAR D, Advocate for the petitioner and of MR.M.MUTHUMANIKKAM, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-



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Petition.

The petitioner is the sole accused in Spl.S.C.No.34 of 2020 filed this Suspension

2. The learned counsel appearing for the petitioner submitted that this is the second suspension of sentence petition. On earlier occasion, the petition filed by the petitioner, in CrI.M.P(MD).No.2352 of 2022 in CrI.A(MD).No.47 of 2022, was dismissed by this Court, dated 26.07.2023, which reads as follows:-

“This petition has been filed to suspend the sentence of imprisonment imposed in Spl.S.C.No.34 of 2020 on the file of the Sessions Judge Mahila Court, Pudukkottai dated 04.05.2021 and enlarge the petitioner/appellant on bail, pending disposal of the above criminal appeal.

2. The case of the prosecution is that on the date of incident, while the victim girl aged about 9 years, was alone in her home, the petitioner/accused misbehaved and sexually assaulted her.

3. On perusal of 164 of Cr.P.C statement recorded from the victim girl, it reveals that the appellant had committed very serious and heinous offence as against the victim girl. Hence, this Court is not inclined to entertain this petition. Therefore, this Criminal Miscellaneous petition is dismissed. ”



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3. It is seen that considering the seriousness of the offence, earlier suspension of sentence petition filed by the petitioner was dismissed by this Court. In the present petition, this Court does not find any new grounds to allow this petition and accordingly, this petition is dismissed.

sd/-
08/09/2023

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/09/2023

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

dss

TO

1 THE SESSIONS JUDGE, MAHILA COURT, PUDUKKOTTAI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
KEERANUR, PUDUKKOTTAI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER IN
CRL MP(MD) No.12943 of 2023
in CRL A(MD) No.47 of 2022
Date :08/09/2023

RS/GB/SAR-(29.09.2023) 3P 4C
Madurai Bench of Madras High Court is issuing
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