



WEB COPY



Crl.M.P.No.3862 of 2024 In Crl.A.266 of 2024

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M.DHANDAPANI,J.

The petitioner/ appellant is the second accused in Special S.C.No.313 of 2022 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and she was convicted for the offences punishable under Section 6 r/w 17 of POCSO Act @ 21(1) of POCSO Act and was sentenced to undergo imprisonment for six months. The period already undergone by the petitioner from 16.09.2022 to 10.10.2022 and one day on 09.01.2024 was ordered to be set off under Section 428 of Cr.P.C. Hence, the appellant seeks suspension of sentence.

2.The learned counsel for the appellant would submit that the petitioner is the Mother of the victim and there is no serious allegation as against the appellant and the appellant has to take care of her younger female child and further submitted that the victim girl now attained the age of majority and she is staying in children Home and would further submit that there are lot of material contradictions in the



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evidence of the prosecution and the prosecution evidence is also highly unbelievable.

3.Heard the submissions made by the learned Additional Public Prosecutor appearing for the respondent.

4.Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future, I am of the considered opinion that the appellant is entitled for the relief of suspension of sentence.

5.Accordingly, the substantive sentence of imprisonment alone is suspended and the appellant is directed to be enlarged on bail, on condition that the appellant shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai and on further condition that the appellant shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending appeal.

31.07.2024

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