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Crl.M.P.No.7949 of 2024 In Crl.A.No.702 of 2024

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**In**  
**Crl.A.No.702 of 2024**

**M.DHANDAPANI,J.**

The petitioner/ appellant was convicted for the offences under Section 9(m) r/w 10 and 9(I) r/w 10 of Protection of Children from Sexual Offences Act, 2012 and was sentenced to undergo rigorous imprisonment for 7 years and to pay a fine of Rs.1,000/-, in default to undergo rigorous imprisonment for 1 year for each of the offences under Section 9(m) r/w 10 and 9(I) r/w 10 of Protection of Children from Sexual Offences Act, 2012 under judgment in Spl.S.C.No.292 of 2022 dated 24.01.2024. The sentences were ordered to run concurrently and the period of sentence already undergone by the accused in custody from 29.03.2022 to 10.06.2022 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 there are lot of material contradictions in the evidence of the prosecution and the prosecution evidence is also highly unbelievable. He would further submit that the appellant is in prison for more than three years



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and that the appellant did not commit any offence as alleged by the prosecution.

3.The learned Additional Public Prosecutor submitted that the victim girl was aged about 8 years at the time of occurrence and further submitted that the appellant is the tuition master of the victim girl and he sexually harassed her several times and further submitted that the allegation against the appellant is a serious one.

4.The offence alleged to have been committed by the appellant is a heinous one and hence this Court is not inclined to grant the relief of suspension of sentence to the appellant.

5.This criminal miscellaneous petition is accordingly dismissed.

**20.06.2024**

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