



Crl.MP.No.18569 of 2023

months and in respect of the conviction under Section 10 r/w 9(1) of POCSO Act 2012, the petitioner was sentenced to undergo rigorous imprisonment for seven years and was ordered to pay a fine of Rs.5,000/- and in default of payment of fine amount, to undergo simple imprisonment for a further period of six months and in respect of the conviction under Section 6 r/w 5(1) of POCSO Act 2012, the petitioner was sentenced to undergo rigorous imprisonment for twenty years and was ordered to pay a fine of Rs.20,000/- and in default of payment of fine amount, to undergo simple imprisonment for a further period of one year.

4. It is pertinent to note that the victim girl was aged about only 12 years at the time of occurrence and sexual offences against women, more particularly, girl child is increasing. The menace to the society by such unscrupulous elements is more and whenever suspension of sentence is sought for, this Court has to be very circumspect in granting suspension. Suspension has to be granted only if a prima facie case is made out, where contradictions, which are crucial in nature are pointed out. In the case on hand, such crucial contradictions have not been pointed out and in such view



Crl.MP.No.18569 of 2023

of the matter, suspending the sentence, as a matter of course, will set a bad precedent in the society. Therefore, this Court is not inclined to accede to the prayer of the petitioner/appellant seeking suspension of sentence.

5. Hence, this Court is not inclined to suspend the sentence of imprisonment imposed on the petitioner in Spl.SC.No.14 of 2019 dated 18.10.2023 and accordingly, this Criminal Miscellaneous petition stands dismissed.

6. Post the main case as per seriatum.

02.07.2024

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M.DHANDAPANI, J.

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Crl.MP.No.18569 of 2023

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Crl.MP.No.18569 of 2023
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02.07.2024