



CRL MP(MD) No.15354 of 2023

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

Tuesday, the Tenth day of September Two Thousand and Twenty Four  
PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN  
CRL MP(MD) No.15354 of 2023  
in  
CRL A(MD) No.649 of 2022

MARISELVAM

... PETITIONER/ APPELLANT

Vs

THE INSPECTOR OF POLICE  
SIVAKASI EAST POLICE STATION,  
VIRUDHUNAGAR DISTRICT.  
CRIME NO. 1155/2017

... 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 execution of sentence in Special Sessions Case No. 17 of 2018 dt. 12.07.2022 on the file of the learned Special Court for POCSO Act cases, Virudhunagar District at Srivilliputhur and enlarge the petitioner / Sole Accused on bail, pending disposal of the Criminal Appeal.

Prayer in CRL A(MD) No.649 of 2022 :

To admit this appeal on file and call for the records from the Lower Court and set aside the Judgment passed by the Learned Special Court for POCSO Act Cases, Virudhunagar District at Srivilliputhur in Special Sessions Case No.17 of 2018 dated 12.07.2022 by allowing this appeal.

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 MR.S.PRABHA, Advocate for the petitioner and of MR.M.SAKTHI KUMAR, Government Advocate (Crl.Side) on behalf of the Respondent, the court made the following order:-

This petition is filed to suspend the sentence imposed by the learned Sessions

Judge, Special Court for POCSO Act Cases, Virudhunagar District at Srivilliputtur,

<https://www.mhsc.tn.gov.in/judis>



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dated 17.07.2022, in Special S.C.No.17 of 2018 and enlarge the petitioner on bail, pending disposal of the above said Criminal Appeal.

2. The petitioner, who is the sole accused in this case, has been found guilty and convicted by the learned Sessions Judge, for the offence under Section 5(m) r/w. 6 of the Protection of Children from Sexual Offences Act, 2012 and sentenced to undergo 10 years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for a period of one year, in Special S.C.No.17 of 2018 on the file of the learned Sessions Judge, Special Court for POCSO Act Cases, Virudhunagar at Srivilliputtur.

3. This is the fourth petition filed by petitioner, seeking suspension of sentence. The earlier petitions filed by the petitioner were dismissed by this Court, considering the gravity of offence.

4. Since there is no change in circumstances of the case, after the dismissal of the earlier petitions, this Court is not inclined to entertain this petition. Accordingly, the Criminal Miscellaneous Petition is dismissed.

sd/-

10/09/2024

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/09/2024

Sub-Assistant Registrar (C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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TO

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1 THE SESSIONS JUDGE, SPECIAL COURT FOR POCSO ACT CASES,  
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTTUR.

2 THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE, SIVAKASI EAST POLICE STATION,  
VIRUDHUNAGAR DISTRICT.

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

ORDER

IN

CRL MP(MD) No.15354 of 2023

in

CRL A(MD) No.649 of 2022

Date :10/09/2024

RS/SG/SAR-(19.09.2024) 3P 5C

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