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Crl.MP.No.546 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13.06.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.546 of 2025

in

Crl.A.No.1276 of 2024

Kuruvithalaiyan @ Gokulakannan

...Petitioner

Vs.

State, rep. By
The Inspector of Police,
All Women Police Station,
Rasipuram,
Namakkal District
(crime No.10 of 2020)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence imposed on the petitioner in Spl.CC.No.10 of 2021 dated 11.06.2024 on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal and enlarge the petitioner on bail, pending disposal of the criminal appeal No.1276 of 2024.

For Petitioner : Mr.M.Dinesh

For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



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ORDER

This Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed on the petitioner in Spl.CC.No.10 of 2021 dated 11.06.2024 on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal and to enlarge the petitioner on bail, pending disposal of the criminal appeal No.1276 of 2024.

2. The petitioner, who is the accused in Spl.CC.No.10 of 2021 on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal, was convicted and sentenced, vide judgment dated 11.06.2024, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	Section 5(1) r/w 6(2 counts) of POCSO Act	to undergo rigorous imprisonment for a period of 20 years on each count and to pay fine of Rs.1,000/- on each count, in default to undergo simple imprisonment for three months on each count



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3. Heard, the learned counsel appearing on either side and perused, all the materials placed before this Court.

4. It is seen that the petitioner already filed a petition to suspend the sentence imposed on him in Crl.MP.No.14232 of 2024. However, recording the facts of the case in detail, this Court dismissed the petition on merits on 26.11.2024. This is the subsequent petition filed for the same prayer. Even then, there is absolutely no change of circumstances to consider the prayer in this petition. Therefore, this Court is not inclined to entertain this petition.

5. Accordingly, this petition is dismissed.

13.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1.The learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal

2.The Inspector of Police,
All Women Police Station,
Rasipuram,
Namakkal District

3.The Public Prosecutor,
High Court of Madras,
Chennai.

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