



WEB COPY



Crl.M.P.No.1039 of 2025 in Crl.A.No.99 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated: 07.04.2025

Coram:

THE HONOURABLE MR.JUSTICE P.VELMURUGAN

Crl.M.P.No.1039 of 2025

in

Crl.A.No.99 of 2025

--

Rajkumar, S/o Murugan

.. Appellant/accused

Vs.

The State represented by its

The Inspector of Police,

Dharapuram, All Women Police Station,

Tiruppur-638 106 (Crime No.7 of 2021)

.. Respondent/complainant

Criminal Miscellaneous Petition filed under Section 430 of the BNSS praying to suspend the sentence imposed in the Special C.C.No.93 of 2021, dated 11.07.2023 on the file of the Sessions Court, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruppur and enlarge the petitioner on bail, until the pending disposal of the Criminal Appeal.

For petitioner : Mr.S.Manoharan

For respondent: M/s.G.V.Kasthuri, Addl.P.P.

ORDER

Challenging the conviction and sentence imposed on the

Page No.1/4



Crl.M.P.No.1039 of 2025 in Crl.A.No.99 of 2025

petitioner/accused, the accused has filed the Criminal Appeal and pending disposal of the Criminal Appeal, this miscellaneous petition has been filed by him to suspend the sentence ordered in Spl.S.C.No.93 of 2021, dated 11.07.2023 on the file of the Sessions Court, Magalir Neethi Mandran (Fast Track Mahila Court), Tiruppur.

2. Heard both sides and perused the materials available on record.

3. The accused is convicted for the offence under Section 449 of IPC and sentenced to undergo ten years rigorous imprisonment, with fine of Rs.1,000/-, in default, to undergo rigorous imprisonment for six months. He was also convicted for the offence under Section 506 (Part-1) IPC, and sentenced to undergo rigorous imprisonment for two years and for the offence under Section 5(j)(ii) read with Section 6 of the POCSO Act, he is sentenced to undergo rigorous imprisonment for 20 years with fine of Rs.2,500/-, in default, to undergo rigorous imprisonment for six months.

4. On a reading of the statement of the victim/P.W.1, it is clear that the offences were committed while the victim was 16 years and that the offences alleged are grave in nature. Hence, this Court is not inclined to suspend the

Page No.2/4



Crl.M.P.No.1039 of 2025 in Crl.A.No.99 of 2025

sentence. This petition is accordingly dismissed.

WEB COPY

5. Registry is directed to prepare the typed set of papers and list the appeal itself for final disposal after four weeks.

07.04.2025

CS

To

1. The Inspector of Police,
Dharapuram, All Women Police Station,
Tiruppur-638 106 (Crime No.7 of 2021)
2. The Public Prosecutor, High Court, Madras.

Page No.3/4



WEB COPY



Crl.M.P.No.1039 of 2025 in Crl.A.No.99 of 2025

P.VELMURUGAN, J

CS

Crl.M.P.No.1039 of 2025
in Crl.A.No.99 of 2025

07.04.2025

Page No.4/4