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*Crl.M.P.No.9883 of 2025
in Crl.A.No.448 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.06.2025

CORAM:

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

Crl.M.P.No.9883 of 2025

in

Crl.A.No.448 of 2025

Nataraj

...Petitioner

Vs.

The State by, The Inspector of Police,
Avinashi All Women Police Station,
Avinashi,
Tiruppur District.
Cr.No.02/2020.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed on the Appellant and enlarge the petitioner on bail in Special SC.No.53 of 2020 on the file of the Learned Sessions Judge Mahila Court (FAC), Tiruppur dated 05.01.2022.

For Petitioner : No appearance
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



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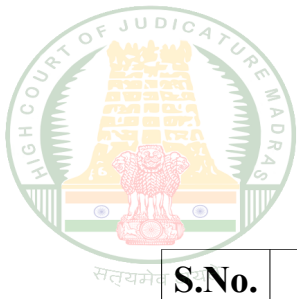
ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioners, seeking suspension of sentence imposed in Special SC.No.53 of 2020 dated 05.01.2022, on the file of the Learned Sessions Judge Mahila Court (FAC), Tiruppur.

2. The petitioner is an accused in Special SC.No.53 of 2020 dated 05.01.2022, on the file of the Learned Sessions Judge Mahila Court (FAC), Tiruppur, for the offences punishable under Sections 5(m), 5(n) read with Section 6 of POCSO Act and Section 376B of IPC. He was found guilty and he has been convicted and sentenced as under:-

S.No.	Conviction	Sentence
1.	Section 5(m) read with Section 6 of POCSO Act	To undergo rigorous imprisonment for a period of 20 years and ordered to pay a fine of Rs.5,000/- and in default to undergo rigorous imprisonment for a period of one year.
2.	Section 5(n) read with Section 6 of POCSO Act	To undergo rigorous imprisonment for a period of 20 years and ordered to pay a fine of Rs.5,000/- and in default to undergo rigorous imprisonment for a period of one year.
3.	Section 376 B of IPC	To undergo rigorous imprisonment for a period of 20 years and ordered to pay a fine



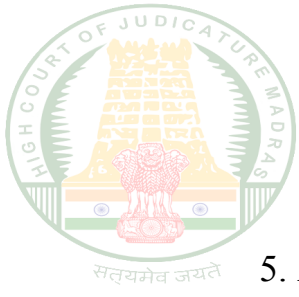
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S.No.	Conviction	Sentence
		of Rs.5,000/- and in default to undergo rigorous imprisonment for a period of one year.

The petitioner was also ordered to pay a sum of of Rs.1,00,000/- as per Section 7(3)(vii) of POCSO Act, as compensation to the victim girl. Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.

3. It is seen from the records that there is absolutely no grounds to suspend the sentence imposed by the Trial Court, since the petitioner has committed very serious and heinous offence as against a minor child. There are clinching evidence to convict the appellant for the offences punishable under Sections 5(m), 5(n) read with Section 6 of POCSO Act and Section 376B of IPC.

4. In view of the above, this Court is not inclined to suspend the sentence imposed in Special SC.No.53 of 2020 dated 05.01.2022, on the file of the Learned Sessions Judge Mahila Court (FAC), Tiruppur.



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5. Accordingly, this Criminal Miscellaneous Petition is dismissed.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
mn



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To

1. The Sessions Judge Mahila Court (FAC), Tiruppur.
2. The Inspector of Police,
Avinashi All Women Police Station,
Avinashi,
Tiruppur District.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

mn

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