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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2025

CORAM:

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

Crl.M.P.No.10375 of 2025
in
Crl.A.No.559 of 2025

Sundaresan ...Petitioner

Vs.

State Rep By the Inspector of Police
Katpadi Police Station,
Vellore District
(Crime No.78/2021) ... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) r/w 483 of Cr.P.C., to suspend the sentence imposed against the petitioner in Spl.SC.No.53 of 2021 on the file of the learned Special Court (Protection of Children from Sexual Offence Act, 2012) Vellore, Vellore District dated 12.12.2024 and enlarge the petitioner on bail pending disposal of the said Crl.A.No. /2025 on the file of this Court.

For Petitioner : Mr.E.Kannadasan

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 against the petitioner in Spl.SC.No.53 of 2021 on the file of the learned Special Court (Protection of Children from Sexual Offence Act, 2012) Vellore, Vellore District dated 12.12.2024 and to enlarge the petitioner on bail pending disposal of the said Crl.A.No. /2025 on the file of this Court.

2. The petitioner, who is the accused in Spl.SC.No.53 of 2021, was convicted and sentenced by the learned Special Court (Protection of Children from Sexual Offence Act, 2012) Vellore, Vellore District, vide judgment dated 12.12.2024, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	Section 366 of IPC	to undergo rigorous imprisonment for a period of 10 years and to pay fine of Rs.5,000/-, in default to undergo rigorous imprisonment for one year
	Section 9 of Prohibition of Child Marriage Act	to undergo rigorous imprisonment for a period of 2 years and to pay fine of Rs.50,000/-, in default to undergo rigorous imprisonment for six

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Rank of the accused	Conviction under Section	Sentence awarded
		months
	Section 5(1) r/w 6 of POCSO Act	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.2,00,000/-, in default to undergo rigorous imprisonment for two years

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. This Court finds no reasons to suspend the sentence since the Trial Court has gone through the evidence in its entirety and also finds that the petitioner had committed very serious and heinous offence as against the victim minor girl.

5. In the result, this petition is dismissed.

06.06.2025
(1/2)

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 Special Court (Protection of Children from Sexual Offence Act, 2012) Vellore, Vellore District

2.Inspector of Police
Katpadi Police Station,
Vellore District

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

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