



Crl.A.No.411 of 2018

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATE : 17.09.2025

CORAM:

THE HON'BLE MR.JUSTICE M.NIRMAL KUMAR

Crl.A.No.411 of 2018

Packirisamy @ Raja

... Appellant/Sole Accused

Versus

State by

The Inspector of Police,

T.R.Pattinam Police Station,

Karaikal,

Union Territory of Puducherry.

(Crime No.26/2013).

... Respondent/Complainant

PRAYER : Criminal Appeal filed under Section 374(2) of Cr.P.C., praying to set aside the judgment of conviction passed by the learned Sessions Judge, Karaikal in Special Sessions Case No.07/2016 dated 29.11.2017 convicting the appellant/accused for the offence under Section 6 of the Protection of Children from Sexual Offences Act, 2012 and sentencing him to undergo rigorous imprisonment for a period of ten years and to pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for a period of 3 months.

Appellant : Mr.I.Syed Sibghatulla,
Legal Aid Counsel



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For Respondent : Mr.K.S.Mohandass,
Public Prosecutor (Puducherry)
Assisted by
Ms.N.Danalatchoumy

JUDGMENT

The Criminal Appeal has been filed seeking to set aside the judgment of conviction passed by the learned Sessions Judge, Karaikal in Special Sessions Case No.07 of 2016 dated 29.11.2017.

2. This Court, on 29.08.2025, had passed the following order:

“The appellant/accused in Spl.S.C.No.07 of 2016 was convicted by the trial Court by the judgment dated 29.11.2017 for offence under Section 6 of POCSO Act and sentenced him to undergo 10 years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default to undergo three months simple imprisonment, against which, he preferred this appeal.

2.The learned counsel Mr.V.Sathish, who filed the appeal, had not shown any interest in prosecuting the appeal. Hence, this Court, on 21.06.2024, appointed one Mr.I.Syed Sibghatulla as Legal Aid Counsel for the appellant.



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3.The learned Legal Aid Counsel for the appellant submitted that in this case the appellant had already undergone the sentence and the appeal itself has become infructuous.

4.The learned Additional Public Prosecutor (Puducherry) seeks small accommodation to verify with the Superintendent of Prison, Puducherry with regard to the submission made by the learned Legal Aid Counsel for the appellant.

5.Post on 03.09.2025.”

3. In continuation to the earlier order passed by this Court on 29.08.2025, today, the learned Public Prosecutor (Puducherry) produced a communication dated 15.09.2025 received from the Deputy Superintendent of Jail, Karaikal, which is extracted as follows:



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GOVERNMENT OF PUDUCHERRY
JAIL DEPARTMENT

No.003/CON/JD/SJ/KKL/2025-2026

Date: 15.09.2025

To,

The Public Prosecutor for the U.T of Puducherry,
Hon'ble High Court of Judicature Madras,
Chennai.

Sub: Special Sub Jail, Karaikal – Submission of Status Report regarding
release of one convict prisoner by name Packrisamy @ Raja S/o
Krishnamoorthy– Submitted – Reg.

I humbly submit that, as per the sentence passed by the Hon'ble Special Judge, Karaikal on 29.11.2017 in S.C. No.07/16, the convict inmate Packrisamy @ Raja S/o Krishnamoorthy was undergoing 10 years imprisonment in the Special Sub Jail, Karaikal for the involvement in Cr.No.26/2013 of TR Pattinam Police Station, Karaikal u/s 6 of POCSO Act 2012. (Fine Paid)

2. Since, due to the dilapidated condition of the Special Sub Jail, Karaikal, the said inmate was transferred to the Central Prison, Puducherry during the period from 2019 to 2023, where he also availed remission as per Pondicherry Prison Rules 2021. The convict inmate has completed 07 years 10 months 26 days of imprisonment, he has availed 02 years 01 month 09 days remission as per Puducherry Prison Rules 2021, Chapter- 28 “ The Remission System” including Inspector General of Prisons, Puducherry special remission 60 days and 30 days remission surrendered by Government in lieu of two months wages.

The details of the remission given as follows:

GENERAL REMISSION			
Year	Days	Month	Total Days
Prison Rules 1969	4	Dec	04
2017			
2018	4	12	48
2019	4	12	48
2020	4	12	48
2021	4	12	48

B. P. P. P.
DY. SUPERINTENDENT OF JAIL
KARAIKAL



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Year	Days	Month	Total Days
2022	6	12	72
Prison Rules 2021	6	4	24
	8	8	64
2023	8	12	96
2024	8	4	32
2025		April 2025	
Total -1			484 Days

ANNUAL GOOD CONDUCT REMISSION	
Year	Days
November 2018	15
November 2019	15
November 2020	15
November 2021	15
November 2022 New Prison Rules 2021	30
November 2023	30
November 2024	30
Total-2	150 Days

SPECIAL REMISSION	
Prison Officials	Days
Inspector General of Prisons during March 2020	60
Superintendent of Jail October 2021	15
Superintendent of Jail December 2024	20
New Prison Rules 2021.	
Total-3	95 Days

B. *[Signature]*
DY. SUPERINTENDENT OF JAIL
KARAIKAL



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WAGES REMISSION	
Wages	Days
Wages remission on surrendering 60 days of wages and earned 30 days @ 2 days wages	30
Total -4	30 Days

ABSTRACT	
Column	Days
Total 1	484
Total 2	150
Total 3	95
Total 4	30
Grand Total	759 Days

Therefore, the said convict prisoner was released on 23.05.2025 on expiry of sentence in the Special Sub Jail Karaikal.

Yours faithfully

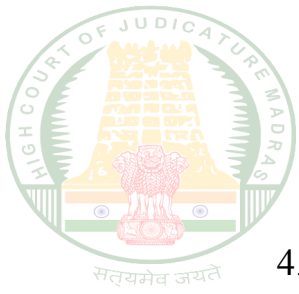
B. Gobinath

(B. GOBINATH)

Deputy Superintendent of Jail
Karaikal.

DY. SUPERINTENDENT OF JAIL
KARAIKAL

Copy Submitted to:
The Chief Superintendent of Jails, Puducherry.



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4. From the report, it is seen that the appellant had already undergone his period of conviction with some remission as per Puducherry Prison Rules, 2021. The appellant was released on 23.05.2025. Hence, nothing survives for adjudication in the above appeal.

5. In view of the same, the Criminal Appeal is dismissed as infructuous.

17.09.2025

Index : Yes / No

Internet : Yes/No

Neutral citation : Yes/No

Speaking / Non-speaking order
rsi

To

1. The Sessions Judge,
Karaikal.

2. The Inspector of Police,
T.R. Pattinam Police Station,
Karaikal, Union Territory of Puducherry.

3. The Public Prosecutor,
High Court, Madras.

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M.NIRMAL KUMAR, J.

rsi

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