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Crl.MP.No.10927 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.10927 of 2025

in

Crl.A.No.621 of 2025

Janakiraman

...Petitioner

Vs.

The State represented by
The Inspector of Police,
Thirukkanur Circle, Puducherry
(crime No.92 of 2019)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of BNSS Act, to suspend the sentence and conviction imposed on the petitioner by the Fast Track Court Exclusively to deal with offences under the POCSO Act at Puducherry in Special Sessions Case No.46 of 2023 by judgment dated 21.02.2025 and enlarge the petitioner on bail pending disposal of the above criminal appeal.

For Petitioner : No appearance

For Respondent : Mr.A.Alexander,
Government Advocate(crl.side)(Pondy)



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ORDER

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This Criminal Miscellaneous Petition has been filed praying to suspend the sentence and conviction imposed on the petitioner by the Fast Track Court Exclusively to deal with offences under the POCSO Act at Puducherry in Special Sessions Case No.46 of 2023 by judgment dated 21.02.2025 and to enlarge the petitioner on bail pending disposal of the above criminal appeal.

2. The petitioner is an accused in Special Sessions Case No.46 of 2023 on the Fast Track Court Exclusively to deal with offences under the POCSO Act at Puducherry. He was found guilty of the offences under Section 9 of Prohibition of Child Marriage Act, 2006 and Section 6 of POCSO Act @ 376(3) of IPC (for the purpose of providing alternate punishment U/s. 42 of POCSO Act) and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 9 of Prohibition of Child Marriage Act, 2006	to undergo 2 years rigorous imprisonment and to pay fine of Rs.10,000/-, in default to undergo 1 month simple imprisonment



S.No.	Conviction	Sentence
2	Section 6 of POCSO Act @ 376(3) of IPC (for the purpose of providing alternate punishment U/s. 42 of POCSO Act)	to undergo 20 years rigorous imprisonment and to pay fine of Rs.10,000/-, in default to undergo 3 months simple imprisonment

Aggrieved by the same, the petitioner has filed the aforementioned criminal appeal before this Court along with the present miscellaneous petition.

3. The learned counsel for the petitioner/A1 would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioner/A1 may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Heard, the learned counsel appearing on either side and also perused, the materials placed on record.

5. On perusal of records, it is revealed that the Trial Court has



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convicted the petitioner after going through the evidence in its entirety.

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Further, this Court find that the petitioner committed very heinous and serious offence against the minor victim girl. As such, this Court is not inclined to entertain this petition.

6. Accordingly, this miscellaneous petition is dismissed.

13.06.2025
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

- 1.The Fast Track Court Exclusively to deal with offences under the POCSO Act at Puducherry
- 2.The Inspector of Police,
Thirukkanur Circle, Puducherry
- 3.The Public Prosecutor,
High Court of Madras



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G.K.ILANTHIRAIYAN, J.

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