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*Crl.M.P.No.10576 of 2025
in Crl.A.No.581 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11.06.2025

CORAM:

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

Crl.M.P.No.10576 of 2025

in

Crl.A.No.581 of 2025

1. Hidayathulla Khan

2. Haffezulla Khan

..... Petitioners

Vs

The State Rep By,
The Inspector of Police
All Women Police Station,
Vellore,
Vellore District.
Crime No.6 of 2019.

..... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed the judgment dated 29.01.2025 on the file of Learned Special Judge for Exclusive trial of cases under POCSO Act, 2012, Vellore District and enlarge the petitioner on the bail pending disposal of the Criminal Appeal.



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For Petitioners : Mr.S.Suresh
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Special Judge for Exclusive Trial of cases under POCSO Act, 2012, Vellore District in Spl.S.C.No.113 of 2021 dated 29.01.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioners, who are arrayed as A1 and A2 in Spl.S.C.No.113 of 2021, were convicted and sentenced by the Special Judge for Exclusive Trial of cases under POCSO Act, 2012, Vellore, vide judgment dated 29.01.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
A1	5(l), (m), (n) r/w 6 of POCSO Act, 2012	To undergo 20 years Rigorous imprisonment with a fine of Rs.1,50,000/-, in default, to undergo six months rigorous imprisonment.
A2	5(l), (m), (n) r/w 6 of POCSO Act, 2012	To undergo 20 years Rigorous imprisonment with a fine of Rs.1,50,000/-, in default, to undergo six months rigorous imprisonment.

3. Heard the learned counsel for the petitioners and the learned



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Additional Public Prosecutor for the respondent.

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4. This Court finds that no *prima facie* case made out for suspension of 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 victims.

5. In the result, the petition for suspension of sentence is dismissed.

11.06.2025
(2/2)

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

To

1.The Special Judge for Exclusive Trial of cases under POCSO Act, 2012,
Vellore District.

2.The Inspector of Police
All Women Police Station,
Vellore,
Vellore District.



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G.K.ILANTHIRAIYAN, J.
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3.The Public Prosecutor,
High Court of Madras,
Chennai.

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