



WEB COPY

CRL MP No. 8250 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-04-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL MP No. 8250 of 2025

IN

CRL A NO. 397 OF 2025

S.Sudarson

S/o.Subramani, 137/92A, Vittal Nagar,

Ganesapuram, Padanur, Coimbatore. Petitioner

Vs

The State of Tamilnadu,

Rep. By the Inspector of Police,

AWPS, West-Coimbatore City. Respondent(s)

Prayer: Criminal Miscellaneous Petition filed under Section 430(1) of B.N.S.S. to suspend the execution of sentence of imprisonment imposed on the petitioner by the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, 2012 by the Judgment dated 24.03.2025 made in Special Calendar Case No.60 of 2021 and enlarge the petitioner on bail, pending final disposal of the above appeal.

For Appellant(s): M/s.Pushpa Ramani

For Respondent(s): Mrs.G.V.Kasthuri
Additional Public Prosecutor



ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner/accused to suspend the execution of sentence of imprisonment imposed on the petitioner by the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore by the judgment dated 24.03.2025 made in Special Calendar Case No.60 of 2021 and enlarge the petitioner on bail, pending final disposal of the appeal in Crl.A.No.397 of 2025.

2. The case of the petitioner is that based on the complaint given by the victim girl alleging that the petitioner/accused under the guise of asking direction to certain address, grabbed the victim girl's breasts with his hands and sexually assaulted her, the respondent police registered a case against the petitioner in F.I.R. No.1440 of 2020 for the offence under Section 7 and 8 of POCSO Act and after completion of investigation, laid charge sheet and the same was taken on file in Special Calendar Case No.60 of 2021 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, 2012. The learned Special Judge, on conclusion of trial found the accused guilty for the offence under Section 7 punishable under Section 8 of the POCSO Act, 2012 and convicted and sentenced to undergo rigorous imprisonment for three years and to pay fine of Rs.10,000/- in default of payment of fine, to undergo three months of simple imprisonment.

3. Challenging the said Judgment of conviction and sentence, the petitioner has preferred the appeal in Crl.A.No.397 of 2025 before this Court and pending same, the present petition has been filed to suspend the sentence of



imprisonment imposed by the Court below.

4. The learned counsel for the petitioner submitted that there are arguable points in the revision and that the petitioner has got a good case for acquittal. Hence, he prayed to suspend the sentence pending disposal of the appeal.

5. However, taking into consideration the heinous nature of offence, this Court is not inclined to suspend the sentence.

6. Accordingly, this Criminal Miscellaneous Petition is dismissed.

23-04-2025

(1/2)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Inspector of Police,
AWPS, West-Coimbatore City.

2. The Public Prosecutor
High Court of Madras



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CRL MP No. 8250 of 2025



P.VELMURUGAN,J.

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CRL A NO. 397 OF 2025**

**23-04-2025
(1/2)**