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*Crl.M.P.No.9414 of 2025
in Crl.A.No.438 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM:

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

Crl.M.P.No.9414 of 2025

in

Crl.A.No.438 of 2025

M.Gnanaprakash

..... Petitioner

Vs

The State Rep By,
The Inspector of Police
All Women Police Station,
Tiruvannamalai

..... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence and conviction dated 27.11.2024, passed in Spl.S.C.No.124 of 2022, against the petitioner/appellant/1st Accused by the learned Trial Judge, the Special Judge for Exclusive Trial of Cases under POCSO Act, at Tiruvannamalai, pending disposal of the above appeal and consequently enlarge the petitioner /Appellant/1st Accused on bail in connection with the Judgment in Spl.S.C.No.124 of 2022, dated 27.11.2024.



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For Petitioner : Mr.V.Ramanareddy

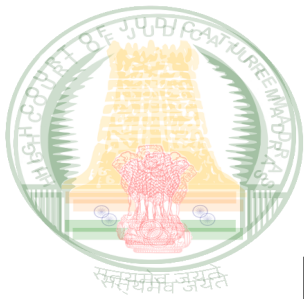
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor

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, Tiruvannamalai in Spl.S.C.No.124 of 2022, dated 27.11.2024, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is arrayed as A1 in Spl.S.C.No. 124 of 2022, were convicted and sentenced by the Special Judge for Exclusive Trial of cases under POCSO Act, 2012, Tiruvannamalai, vide judgment dated 27.11.2024, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
A1	366 of IPC	To undergo 10 years Rigorous imprisonment with a fine of Rs.5,000/-, in default, to undergo 2 years rigorous imprisonment.
	376(3),	To undergo 20 years Rigorous



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Rank of the accused	Conviction under Section	Sentence awarded
	376(2)(n) of IPC and Section 6 of POCSO Act, 2012	imprisonment with a fine of Rs.5,000/-, in default, to undergo 2 years rigorous imprisonment.
	The period already undergone by the accused is ordered to be set off under Section 428 Cr.P.C.	

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

4. This Court finds that no *prima facie* case has been 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 victim, who is aged about 15 years old at the time of occurrence, under the pretext of marriage.

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

09.06.2025
(2/2)

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

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1.The Special Judge for Exclusive Trial of Cases under POCSO Act, at
Tiruvannamalai

2.The Inspector of Police
All Women Police Station,
Tiruvannamalai

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



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G.K.ILANTHIRAIYAN, J.

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