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Crl.MP.No.10150 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06.06.2025

CORAM:

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

Crl.M.P.No.10150 of 2025

in

Crl.A.No.76 of 2024

Kathiresan

...Petitioner

Vs.

The State of Tamilnadu
Rep. by Inspector of Police
All Women Police Station,
Erode District
(crime No.7 of 2021)

... Respondent

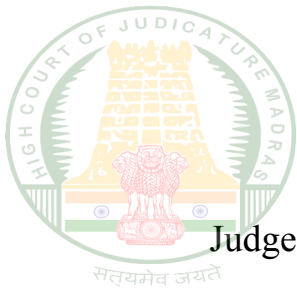
PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence of imprisonment imposed by the learned Sessions Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Erode District in Spl.SC.No.70 of 2021 by the judgment dated 08.11.2023 and enlarge the petitioner/appellant on bail, pending disposal of the above said criminal appeal.

For Petitioner : Mr.Dhilipan Pandian R L

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

ORDER

This Criminal Miscellaneous Petition has been filed praying to suspend the sentence of imprisonment imposed by the learned Sessions



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Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Erode District in

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Spl.SC.No.70 of 2021 by the judgment dated 08.11.2023 and to enlarge the petitioner/appellant on bail, pending disposal of the above said criminal appeal.

2. The petitioner, who is the accused in Spl.SC.No.70 of 2021 on the file of the learned Sessions Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Erode District, was convicted and sentenced, vide judgment dated 08.11.2023, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	Section 366 of IPC	to undergo rigorous imprisonment for a period of 5 years and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for three months
	Section 9 of Prohibition of Child Marriage Act, 2006	to undergo rigorous imprisonment for a period of 1 year
	Section 6 of POCSO Act	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.5,000/-, in default to undergo simple imprisonment for three months

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



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Additional Public Prosecutor for the respondent.

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4. It is seen that the petitioner already filed a petition to suspend the sentence imposed on him in Crl.MP.No.587 of 2024. However, recording the facts of the case in detail, this Court dismissed the petition on merits on 12.03.2024. This is the second petition filed for the same prayer. Even then, there is absolutely no change of circumstances to consider the prayer in this petition. Therefore, this Court is not inclined to entertain this petition.

5. Accordingly, this petition is dismissed.

06.06.2025

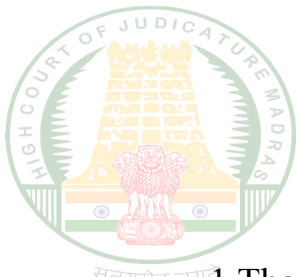
Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

lok

To

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1.The learned Sessions Judge, Magalir Neethi Mandram, Fast Track Mahila Court, Erode District

2.Inspector of Police
All Women Police Station,
Erode District

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

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