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Crl.M.P No.11536 of 2025 in
Crl.A.No.666 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2025

CORAM:

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

Crl.M.P.No.11536 of 2025
in
Crl.A.No.666 of 2025

Jayapal

... Petitioner

Versus

The State Represented by
The Inspector of Police,
W-16, All Women Police Station,
Pulianthope, Chennai - 12.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed by the learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Chennai in S.C.No.44 of 2021 dated 17.03.2025 under Section 6 of Protection of Children from Sexual Offences Act, 2012 & Section 366 of the Indian Penal Code, 1860 and was sentence to undergo 10 years (R.I) and fa fine of Rs.5,000/-, in default, to undergo 1 month (S.I).

For Petitioner : Mr. S. Ashok Kumar

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

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Chennai in S.C.No.44 of 2021 dated 17.03.2025, and to enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an one of the accused in Spl.S.C.No.44 of 2021, was convicted and sentenced by the learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Chennai, vide Judgment dated 17.03.2025, as follows:

Conviction	Sentence
Section 6 of the POCSO Act	To undergo rigorous imprisonment for a period of 10 years, along with a fine of Rs.10,000/-, and in default of payment of the fine, undergo simple imprisonment for a further period of one month.
Section 366 of IPC	To undergo rigorous imprisonment of 5 years, along with a fine of Rs.5,000/-, and in default to undergo simple imprisonment for a further period of one month.

Aggrieved by the same, the petitioner has filed the present petition.

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. This Court finds no reason to suspend 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 girl who is aged about 14 years at the time of occurrence.

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

20.06.2025
(2/2)

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

klt

To

1. The learned Sessions Judge, Special Court for the Exclusive Trial of POCSO Act Cases, Chennai.
2. The Public Prosecutor, High Court, Madras.
3. The Inspector of Police, W-16, All Women Police Station, Pulianthope, Chennai - 12.



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G.K.ILANTHIRAIYAN, J.

klt

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**20.06.2025
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