



WEB COPY



*Crl.M.P.No.13395 of 2025
in Crl.A.No.830 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2025

CORAM:

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

Crl.M.P.No.13395 of 2025
in
Crl.A.No.830 of 2025

Ganesh @ Rajaganesh

...Petitioner

Vs.

The State Rep. by
The Inspector of Police,
All women police station,
Salem Town,
Salem District.
(Crime No.16 of 2020)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, 2023 to suspend the sentence imposed on the petitioner by the Sessions Judge, Principal POCSO Court, Salem in Spl.S.C.No.35 of 2021 dated 27.02.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.S.Esakkimuthu

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



*Crl.M.P.No.13395 of 2025
in Crl.A.No.830 of 2025*

ORDER

WEB COPY

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Principal POCSO Court, Salem, in Spl.S.C.No.35 of 2021 dated 27.02.2025, and enlarge the petitioner on bail pending disposal of the above criminal appeal.

2. The petitioner, who is an accused in Spl.S.C.No.35 of 2021, was convicted and sentenced by the learned Sessions Judge, Principal POCSO Court, Salem, vide judgment dated 27.02.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	366 A IPC	to undergo rigorous imprisonment for a period of 5 years and to pay fine of Rs.1,000/-, in default to undergo rigorous imprisonment for a period of one year
	342 IPC	Imposed fine of Rs.1000/-, in default to undergo rigorous imprisonment for a period of six months
	5(I) read with 6 of POCSO Act, 2012	to undergo rigorous imprisonment for a period of 10 years and to pay fine of Rs.1,000/-, in default to undergo rigorous imprisonment for a period of one year

Aggrieved by the same, the petitioner has filed this appeal along with the



*Crl.M.P.No.13395 of 2025
in Crl.A.No.830 of 2025*

present miscellaneous petition.

WEB COPY

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

4. This Court finds no reasons 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 15 years at the time of occurrence.

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

09.07.2025
(2/2)

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

To

Page 3 of 5



*Crl.M.P.No.13395 of 2025
in Crl.A.No.830 of 2025*

WEB COPY

1.The Sessions Judge, Principal POCSO Court, Salem

2.The Inspector of Police,
All women police station,
Salem Town,
Salem District.

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



WEB COPY



*Crl.M.P.No.13395 of 2025
in Crl.A.No.830 of 2025*

G.K.ILANTHIRAIYAN, J.
Lpp

Crl.M.P.No.13395 of 2025
in Crl.A.No.830 of 2025

09.07.2025
(2/2)