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*Crl.M.P.No.14211 of 2025
in Crl.A.No.24 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.07.2025

CORAM:

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

Crl.M.P.No.14211 of 2025

in

Crl.A.No. 24 of 2025

Maheshkumar

..... Petitioner

Vs

State by

The Inspector of Police,

Kamanayagan Palayam Police Station,

Thirupur District

Cr.No.395/2021

..... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed against the petitioner on 19.06.2024 in Spl.S.C.No.24 of 2022 on the file of the Sessions Court, Magalir Neethimandram (FTMC), Thirupur District and enlarge the petitioner on bail till the disposal of the Criminal Appeal in Crl.A.No.24.

For Petitioner : Mr.P.Pugalenth

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

ORDER



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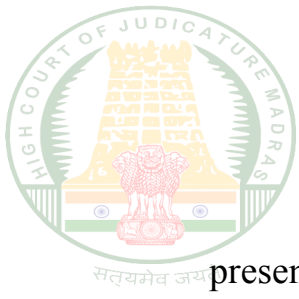
This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Magalir Neethimandram (FTMC), Thirupur dated 19.06.2024 in Spl.S.C.No.24 of 2022 and enlarge the petitioner on bail pending disposal of the above criminal appeal.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The petitioner is the accused in Spl.S.C.No.24 of 2022 on the file of the learned Sessions Judge, Magalir Neethimandram (FTMC), Thirupur. The petitioner was found guilty of the offences under Sections 5(I) r/w 6 of POCSO Act, 2012 and Section 366 of IPC and he has been convicted and sentenced as under:-

S.No.	Conviction	Sentence
1.	Section 5(I) r/w 6 of POCSO Act, 2012	To undergo twenty years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo for three months simple imprisonment.
2.	Section 366(A) of IPC	To undergo three years rigorous imprisonment and to pay a fine of Rs.2,000/- in default to undergo for three months simple imprisonment.

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



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present miscellaneous petition.

4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, this Court is of the view that the petitioner has failed to make out a prima facie case for grant of suspension of sentence. The petitioner has been convicted for having committed a very serious and heinous offence against the minor victim. Therefore, this Court is not inclined to grant suspension of sentence imposed by the Trial Court.

6. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

21.07.2025

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

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G.K.ILANTHIRAIYAN, J.



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To

1. The Sessions Judge,
Magalir Neethimandram (FTMC),
Thirupur

2. The Inspector of Police,
Kamanayagan Palayam Police Station,
Thirupur District

3. The Public Prosecutor,
High Court, Madras.

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