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*Crl.M.P.No.13129 of 2025
in Crl.A.No.793 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.07.2025

CORAM:

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

Crl.M.P.No.13129 of 2025

in

Crl.A.No.793 of 2025

Govinda Sarki

...Petitioner

Vs.

The State Represented by its;
The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar,
Chennai-600 040.
(Crime No. 201/2023)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 415(2) of Cr.P.C., to suspend the sentence imposed in the Special S.C.No.198 of 2023, dated 21.03.2025 on the file of the Learned Special Court for Exclusive Trial of cases under POCSO Act, Chennai and enlarge the petitioner on Bail, until the pending disposal of the above Criminal Appeal.

For Petitioner : DR.S.Manoharan

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



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the Learned Special Court for Exclusive Trial of cases under POCSO Act, Chennai in S.C.No.198 of 2023 dated 21.03.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in S.C.No.198 of 2023 was convicted and sentenced by the Learned Special Court for Exclusive Trial of cases under POCSO Act, Chennai vide judgment dated 21.03.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	6 r/w 4 of POCSO Act, 2012	to undergo imprisonment for a period of 10 years and to pay fine of Rs.5,000/- in default to undergo simple imprisonment for a period of one month.
	366 of I.P.C	to undergo imprisonment for a period of three years in default to undergo simple imprisonment for a period of one month.



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The said sentences directed to run concurrently. Aggrieved by the same, the present appeal has been filed.

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 minor victim girl at the time of occurrence.

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

07.07.2025
(2/2)

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

Nhs



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G.K.ILANTHIRAIYAN, J.

Nhs

To

- 1.The learned Special Court
for Exclusive Trial of cases under POCSO Act, Chennai
2. The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar,
Chennai-600 040.
- 3.The Public Prosecutor,
High Court of Madras,
Chennai.

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G.K.ILANTHIRAIYAN, J.

Admit.

2. Mr.S.Raja Kumar, learned Additional Public Prosecutor takes notice for the respondent.

3. Registry is directed to call for the records from the lower Court and prepare typed set of papers.

07.07.2025
($\frac{1}{2}$)

Nhs