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*Crl.M.P.No.12657 of 2025
in Crl.A.No.752 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01.07.2025

CORAM:

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

Crl.M.P.No.12657 of 2025

in

Crl.A.No.752 of 2025

Ashok Kumar

... Petitioner/Appellant

Vs.

The State Represented by,
The Inspector of Police,
Mangalapuram Police Station,
Namakkal District.
Crime No.10 of 2020

... Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 430 of BNSS/389(1) of Cr.P.C., to suspend the sentence of imprisonment imposed in the judgment dated 29.04.2025 made in Spl.C.C.No.20 of 2020 on the file of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.R.Venkatesh

For Respondent : Mr.A.Gopinath,
Government Advocate (Criminal Side)



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal, in Spl.C.C.No.20 of 2020 on 29.04.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Spl.C.C.No.20 of 2020, was convicted and sentenced by the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal, vide judgment dated 29.04.2025, as follows:

Conviction under Section	Sentence awarded
5(m) r/w 6 of Protection of Children from Sexual Offences Act, 2012	to undergo rigorous imprisonment for a period of 20 years and to pay a fine of Rs.1000/- in default to undergo simple imprisonment of three months.

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) for the respondent Police.



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4. This Court finds that the petitioner failed to make out the *prima facie* case for suspension of sentence. Further the petitioner had committed very serious and heinous offence as against the victim. Therefore, this Court is not inclined to entertain this petition.

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

01.07.2025
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To

1. The Sessions Judge,
Magalir Neethi Mandram (Fast Track Mahila Court),
Namakkal.
2. The Inspector of Police,
Mangalapuram Police Station,
Namakkal District.
3. The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

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**01.07.2025
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