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*Crl. M.P. No. 12810 of 2025
in Crl.A.No.765 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.07.2025

CORAM:

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

Crl. M.P. No. 12810 of 2025

in

Crl. A. No. 765 of 2025

Balasubramaniam @ Ponnann

...Petitioner

Vs.

State Rep By
The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore City.
Crime No. 929 of 2014

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 430 of B.N.S.S., 2023, to enlarge the petitioner on bail by suspending the sentence imposed in Spl.C.C.No.59 of 2019 dated 09.01.2025 by the Sessions Judge, Principal Special Court for Exclusive Trail of cases under POCSO Act, Coimbatore pending disposal of C.A.No.765 of 2025.

For Petitioner : Mr. D. Ravichandran

For Respondent : Mr. A. Gopinath,
Government Advocate



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ORDER

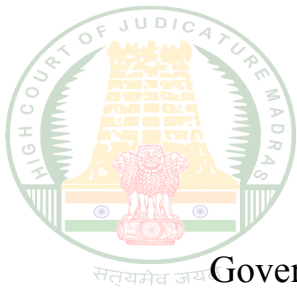
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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Principal Special Court for Exclusive Trail of cases under POCSO Act, Coimbatore, in Spl.C.C.No.59 of 2019 dated 09.01.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Spl.C.C.No.59 of 2019, was convicted and sentenced by the learned Sessions Judge, Principal Special Court for Exclusive Trail of cases under POCSO Act, Coimbatore, vide judgment dated 09.01.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	5(I) r/w 6 of POCSO Act, 2012 and Section 377 of IPC	to undergo rigorous imprisonment for a period of 10 years and to pay fine of Rs.10,000/-, in default to undergo simple imprisonment for a period of 1 year. (fine paid)
	323 of IPC	to undergo rigorous imprisonment for a period of one year.
	342 of IPC	to undergo rigorous imprisonment for a period of one year

3. Heard the learned counsel for the petitioner and the learned



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Government Advocate for the respondent.

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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 minor victim boy. Therefore, this Court is not inclined to entertain this petition.

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

02.07.2025
(2/2)

AT

To

1.The Sessions Judge,
Principal Special Court for Exclusive Trail of cases
under POCSO Act, Coimbatore.

2.The Inspector of Police,
Kuniyamuthur Police Station,
Coimbatore City.

3.The Public Prosecutor,
High Court of Madras.



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G.K.ILANTHIRAIYAN, J.

AT

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(2/2)