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*Crl.M.P.No.13155 of 2025
in Crl.A.No.785 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.13155 of 2025

in

Crl.A.No.785 of 2025

Sivakumar

...Petitioner

Vs.

State by,
Inspector of Police,
Chetpet Police Station,
Thiruvannamalai District.
(Crime No. 27/2015)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 415(2) of Cr.P.C., to suspend the sentence imposed by the Special Court for the exclusive trial of POCSO Act cases, Tiruvannamalai made in Spl.S.C.No.76 of 2019 by its judgment dated 14.02.2025, and enlarge the petitioner on bail till the disposal of the above criminal appeal.

For Petitioner : Mr.S.M.Nandhie Devhan

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



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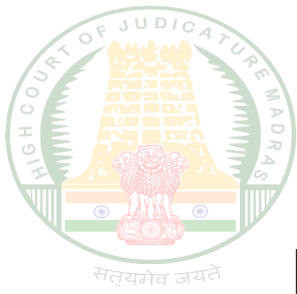
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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the Special Court for the exclusive trial of POCSO Act cases, Tiruvannamalai in Spl.S.C.No.76 of 2019 dated 14.02.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Spl.S.C.No.76 of 2019 was convicted and sentenced by the Special Court for the exclusive trial of POCSO Act cases, Tiruvannamalai vide judgment dated 14.02.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	Section 376 of I.P.C & Section 4 & 6 of POCSO Act, 2012	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 one year



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Rank of the accused	Conviction under Section	Sentence awarded
	Section 354 of I.P.C & Section 8 of POCSO Act, 2012	to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.1000/- in default to undergo simple imprisonment for a period of six months.

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 who is aged about 18 years at the time of occurrence.



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

07.07.2025
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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.

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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

Nhs

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