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*Crl.M.P.No.13843 of 2025
in Crl.A.No.440 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.07.2025

CORAM:

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

Crl.M.P.No.13843 of 2025

in

Crl.A.No.440 of 2024

1. Sarathkumar
2. Manikumar

...Petitioners

Vs.

State Rep Represented by
The Inspector of Police,
All Women Police Station,
Hosur,
Krishnagiri District.
(Crime No. 36/2016)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of Criminal Procedure Code to suspend the sentence imposed in Spl. S.C. No.6 of 2018 on the file of Learned Sessions Judge, Fast Track Magila Court, Krishnagiri and enlarge the appellants on bail pending disposal of the above Criminal Appeal Petition.

For Petitioners : Mr.K. Sathish

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



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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, Fast Track Magila Court, Krishnagiri in Spl.S.C.No.6 of 2018 dated 04.12.2023, and enlarge the petitioners on bail pending disposal of the above appeal.

2. The petitioners are the accused in Spl.S.C.No.6 of 2018 on the file of the learned Sessions Judge, Fast Track Magila Court, Krishnagiri. They were found guilty for the offences punishable under Section 5(1)(m) & (g) r/w 6 of POCSO Act 2012 and have been convicted and sentenced to undergo rigorous imprisonment for a period of ten years each and to pay a fine of Rs.1,000/- each in default to undergo simple imprisonment for a period of one year. Aggrieved by the same, the present appeal has been filed.

3. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.



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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 petitioners have committed very serious and heinous offence as against the minor victim girl who is aged about 11 years at the time of occurrence.

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

15.07.2025

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

To

1. The learned Sessions Judge,
Fast Track Magila Court, Krishnagiri.

2. The Inspector of Police,
All Women Police Station,
Hosur, Krishnagiri District.

3. The Public Prosecutor,
High Court of Madras.

4. The Superintendent,

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Central Prison,
Vellore.



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G.K.ILANTHIRAIYAN, J.

NHS

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