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*Crl.M.P.No.14228 of 2025
in Crl.A.No.1026 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.08.2025

CORAM:

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

Crl.M.P.No.14228 of 2025
in
Crl.A.No.1026 of 2025

Anthony @ Faizal

...Petitioner

Vs.

The State Rep By
The Inspector of Police
All Women Police Station,
Gudalur
The Nilgiris District
Crime No.9 of 2019

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 of BNSS, 2023 to suspend the sentence imposed on the petitioner in Spl.S.C No.14 of 2021 dated 28.01.2025 on the file of the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Udthagamandalam and enlarge the petitioner on bail pending disposal of the Criminal Appeal.



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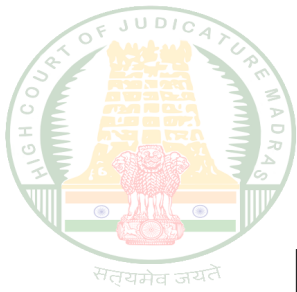
For Petitioner : Mr.M.N.Balakrishnan
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Udhagamandalam, in Spl.S.C.No.14 of 2021 dated 28.01.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Spl.S.C.No.14 of 2021, was convicted and sentenced by the Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Udhagamandalam, vide judgment dated 28.01.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	7 r/w 8 of POCSO Act, 2012	to undergo rigorous imprisonment for a period of 3 years and to pay fine of Rs.1,000/-.



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Rank of the accused	Conviction under Section	Sentence awarded
	5(1) read with 6 of POCSO Act, 2012	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.5,000/-.
	5(m) r/w 6 of POCSO Act, 2012	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.5,000/-.
		Total fine amount Rs.11,000/- in default to undergo 3 months simple imprisonment.

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 victim girl who is aged about 4 years at the time of occurrence and the evidence of the victim was also corroborated by the medical report.



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

05.08.2025

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

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To

1.The learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Udhagamandalam

2. The Inspector of Police
All Women Police Station,
Gudalur
The Nilgiris District

3.The Public Prosecutor,
High Court of Madras,
Chennai.



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G.K.ILANTHIRAIYAN, J.
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