



WEB COPY



Crl.M.P.No.14751 of 2025 in
Crl.A.No.499 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31.07.2025

CORAM:

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

Crl.M.P.No.14751 of 2025
in
Crl.A.No.499 of 2025

Nithyanandham

... Petitioner

Versus

The State Represented by
The Inspector of Police,
W-7, All Women Police Station,
Anna Nagar, Chennai.
(Crime No.03 of 2020)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence of imprisonment imposed in the judgement dated 21.04.2025 made in Spl.S.C.No.106 of 2020 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, and enlarge the petitioner on bail pending disposal of the above criminal appeal.

For Petitioner : Mr. R. Dhanasekar

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

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Chennai, in Spl.S.C.No.106 of 2020 dated 21.04.2025, and to enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner is the accused in Spl.S.C.No.106 of 2020, was convicted and sentenced by the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Chennai, vide Judgment dated 21.04.2025, as follows:

Conviction	Sentence
Section 12 of the POCSO Act	To undergo imprisonment for a period of one year, along with a fine of Rs.5,000/-, and in default of payment of the fine, undergo simple imprisonment for a further period of one month.
Section 8 r/w 18 of the POCSO Act	To undergo imprisonment of 2 years, along with a fine of Rs.5,000/-, in default to undergo simple imprisonment for a further period of three months.
Section 307 of IPC	To undergo imprisonment of 10 years, along with a fine of Rs.10,000/- in default to undergo simple imprisonment for a further period of three months.

Aggrieved by the same, the petitioner has filed the present petition.

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



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4. This Court finds no reason 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 (since deceased), who was only 13 years old at the time of occurrence.

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

31.07.2025

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

klt

To

- 1.The Special Judge for Exclusive Trial of Cases under POCSO Act, Chennai.
- 2.The Superintendent of Police, Central Prison, Puzhal.
- 3.The Public Prosecutor, High Court, Madras.
4. The Inspector of Police,
W-7, All Women Police Station, Anna Nagar, Chennai.



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G.K.ILANTHIRAIYAN, J.

klt

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