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*Crl.M.P Nos.15005 of 2025 in
Crl.A.No.768 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.15005 of 2025
in
Crl.A.No.768 of 2025

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...Petitioner

Vs.

The State Rep By
The Inspector of Police
Ooty Town Central Police Station,
Ooty, Nilgiris District

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 of BNSS Act, 2023, to suspend the sentence imposed on the petitioner in Spl. S.C No.65 of 2022 dated 27.03.2025 by the learned Sessions Judge, Mahila Neethimandram, Fast Track Court, Uthagamandalam, by enlarging the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.S.Shanthakumari

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



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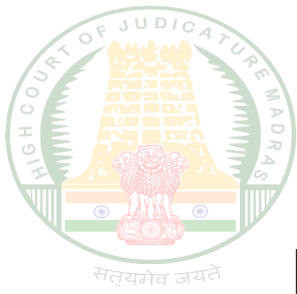
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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Neethimandram, Fast Track Court, Uthagamandalam, in Spl. S.C.No.65 of 2022 dated 27.03.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Spl. S.C.No.65 of 2022, was convicted and sentenced by the Sessions Judge, Neethimandram, Fast Track Court, Uthagamandalam, vide judgment dated 27.03.2025, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	366A of IPC	to undergo rigorous imprisonment for a period of 3 years and to pay fine of Rs.1,000/-.
	Section 9 of Child Marriage Act	to undergo rigorous imprisonment for a period of three months and to pay fine of Rs.500/-.



WEB COPY



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Crl.A.No.768 of 2025*

Rank of the accused	Conviction under Section	Sentence awarded
	Section 5(1)r/w 6 of POCSO Act 2012	to undergo rigorous imprisonment for a period of 20 days and to pay fine of Rs.10,000/-.
		The total fine amount is Rs.11,500/-, in default to undergo simple imprisonment for a period of 3 months and also the trial Court directed the petitioner to pay compensation of Rs.1,00,000/- to the victim.

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, and though the petitioner had complete knowledge that the victim is aged only 16 years, on the pretext of love affair and marriage, he had taken her to Ooty and had committed aggravated penetrative sexual assault on the victim girl.



*Crl.M.P Nos.15005 of 2025 in
Crl.A.No.768 of 2025*

WEB COPY

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

(2/2)

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To

1. The Sessions Judge, Neethimandram, Fast Track Court,
Uthagamandalam

2. The Inspector of Police
Ooty Town Central Police Station,
Ooty, Nilgiris District

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



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G.K.ILANTHIRAIYAN, J.
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(2/2)

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