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Crl.M.P.No.15985 of 2025
in Crl.A.No.1142 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.08.2025

CORAM:

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

Crl.M.P.No.15985 of 2025
in
Crl.A.No.1142 of 2024

Durairaj

..... Petitioner/Appellant

Vs

The State by Inspector of Police
Brammadesam Police Station,
Villupuram district
Cr.No. 233 of 2019

..... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the execution of sentence of imprisonment imposed in the judgement dated 16.07.2024 made in Spl.S.C.No.53 of 2020 on the file of the Learned Sessions judge, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram, and enlarge the petitioner on bail pending disposal of the above criminal appeal.

For Petitioners : Mr.K.Prabakar

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, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram, in Spl.S.C.No.53 of 2020 dated 16.07.2024, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Spl.S.C.No.53 of 2020 , was convicted and sentenced by the Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram, vide judgment dated 16.07.2024, as follows:

S.No	Conviction under Section	Sentence awarded
1	Section 6 of POCSO Act (2 counts)	To undergo 20 years rigorous Imprisonment and fine of Rs.15,000/- for each count, in default to undergo simple imprisonment for the period of 6 months each
2	Section 342 IPC(2 counts)	To undergo 6 months rigorous Imprisonment and fine of Rs.1,000/- for each count, in default to undergo simple imprisonment for the period of 1 months each.



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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 girls, who are aged below 8 years at the time of occurrence.

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

22.08.2025

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



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To

1. The learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram,

2. Inspector of Police
Brammadesam Police Station,
Villupuram district

3. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN, J.

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