



Crl.M.P.No.15428 of 2025 in
Crl.A.No.1220 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.08.2025

CORAM:

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

Crl.M.P.No.15428 of 2025
in
Crl.A.No.1220 of 2025

Santhanakumar

... Petitioner

Versus

1.State by The Deputy Superintendent of Police,
Krishnagiri Sub Division, Krishnagiri,
Krishnagiri District.

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

(Crime No.6 of 2017)

... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) of Bharatiya Nagarik Suraksha Sanhita, (BNSS) 2023, to suspend the sentence imposed against the petitioner in Spl.S.C.No.71 of 2018 on the file of the learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District dated 26.06.2025, and enlarge the petitioner on bail pending disposal of the above criminal appeal.

For Petitioner : Mr. E. Kannadasan
For Respondents : Mr. A. Gopinath,
Government Advocate (Crl.side)



CrI.M.P.No.15428 of 2025 in
CrI.A.No.1220 of 2025

ORDER

WEB COPY

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District in Spl.S.C.No.71 of 2018 dated 26.06.2025, and to enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner is the accused in Spl.S.C.No.71 of 2018, was convicted and sentenced by the learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District, vide Judgment dated 26.06.2025, as follows:

Conviction	Sentence
Section 366 of IPC and Section 5(1) r/w 6 of the POCSO Act, 2012	To undergo rigorous imprisonment for a period of 3 years, along with a fine of Rs.1,000/-, and in default of payment of the fine, to undergo simple imprisonment for a further period of six months as default sentence.

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



Crl.M.P.No.15428 of 2025 in
Crl.A.No.1220 of 2025

WEB COPY

3. Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal side) for the respondent.

4. Considering the facts and circumstances of the case, this Court is of the view that the petitioner has failed to make out a *prima facie* case for granting suspension of sentence. The petitioner has been convicted for having committed a very serious and heinous offence against the victim child, who was about 17 years old at the time of occurrence. Therefore, this Court is not inclined to suspend the sentence imposed on the petitioner by Trial Court.

5. Accordingly, the petition for suspension of sentence is dismissed.

12.08.2025

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

klt



WEB COPY



Crl.M.P.No.15428 of 2025 in
Crl.A.No.1220 of 2025

G.K.ILANTHIRAIYAN, J.

klt

To

- 1.The learned Sessions Judge, Fast Track Magalir Neethimandram,
Krishnagiri, Krishnagiri District.
- 2.The Superintendent of Police, Central Prison, Salem.
- 3.The Deputy Superintendent of Police, Krishnagiri Sub Division,
Krishnagiri, Krishnagiri District.
- 4.The Inspector of Police,
All Women Police Station, Krishnagiri, Krishnagiri District.
- 5.The Public Prosecutor, High Court of Madras, Chennai.

Crl.M.P.No.15428 of 2025
in
Crl.A.No.1220 of 2025

12.08.2025