



Crl.A.(MD)No.162 of 2023

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 21.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.A.(MD)No.162 of 2023
and
Crl.M.P.(MD)No.3631 of 2023

Kandasamy

... Appellant

versus

State rep. By the
Inspector of Police,
Vadamadurai All Women Police Station,
Dindigul District.

... Respondent

Appeal filed under Section 374(2) of Cr.P.C. to call for the records pertaining to the conviction order passed in Spl.S.C.No.40 of 2018 dated 12.09.2022 on the file of the Mahila Fast Track Court, Sessions Judge, Dindigul District and set aside the same as illegal.

For Appellant : Mr.S.Ayyanar Prem Kumar

For Respondent : Mr.P.Kottaichamy,
Government Advocate.



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JUDGMENT

The appellant is the sole accused in Spl.S.C.No.40 of 2018 on the file learned Sessions Judge, Mahila Fast Track Court, Dindigul District. After the trial, the trial Court, by its Judgment dated 12.09.2022, found the appellant guilty for the offence under Section 11(1) r/w. 12 of POCSO Act and 506(i) IPC and convicted and sentenced him as under:

(i) for the offence under Section 11(1) r/w. 12 of POCSO Act, to undergo two years rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 3 months simple imprisonment.

(ii) for the offence under Section 506(i) IPC, to undergo one year rigorous imprisonment and to pay a fine of Rs.5,000/- in default to undergo 3 mnths simple imprisonment. The sentences of imprisonment were ordered to run concurrently.

Challenging the Judgment of conviction and sentence, the appellant has preferred this appeal. The appellant has also moved a petition to suspend the sentence imposed on him by the trial Court.



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2. Today, when this matter is taken up for hearing, the learned counsel on either side submits that the appellant/accused has already undergone the period of sentence and he has also been released from the prison. Therefore, nothing survives in this criminal appeal.

3. Since it is reported that the appellant/accused has already undergone the period of sentence, this Criminal Appeal is closed as no further orders are required. Consequently, connected miscellaneous petition is closed.

21.03.2025

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NCC : Yes / No.

Index : Yes / No.

Internet : Yes / No.

To

1. The Inspector of Police,
Vadamadurai All Women Police Station,
Dindigul District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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