



WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated: 06.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CRL MP(MD)No.2799 of 2025
in CRL A(MD)No.187 of 2024

Abdul Rahman

... Petitioner

Vs

The State of Tamil Nadu
represented by the Inspector of Police,
Tirunelveli Town,
Tirunelveli.
(Crime No.7 of 2019)

... Respondent

Prayer: Petition filed under Section 389(1) of CrPC to enlarge the petitioner on bail by suspending the sentence passed in the judgment in SplSC.No.329 of 2019 dated 18.10.2023 on the file of the Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli pending disposal of the criminal appeal

For Petitioner : M/s.Seenisulthan M

For Respondent : Mr.P.Kottaichamy
Government Advocate



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ORDER

The petitioner / sole accused in SplSC.No.329 of 2019 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Tirunelveli was found guilty, convicted and sentenced to undergo 5 years rigorous imprisonment with a fine of Rs.10,000/-, in default, to undergo 1 year rigorous imprisonment for the offence under Section 10 of POCSO Act. As against the conviction, the petitioner has filed an appeal in CrlA(MD)No.187 of 2024 and it has been admitted by this Court. Along with the appeal, the petitioner has filed this petition to suspend the sentence.

2.The learned counsel for the petitioner submits that there was business transaction between the petitioner and PW1. In order to evade payment, PW1 has foisted this false complaint against the petitioner by using her child. The petitioner is in jail from 18.10.2023.

3.The learned Government Advocate (Crl Side) appearing for the respondent submits that the prosecution has proved its case as against the petitioner and he was rightly convicted by the trial Court based on the prosecution side evidence and exhibits.

5.This Court considered the rival submissions made and perused the material placed on record.



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6. The typed set of papers is made ready and the grounds raised by the petitioner can be appreciated during the final hearing of the appeal. This Court is not inclined to entertain this petition with the available materials. Accordingly this petition is dismissed.

Since the typed set of papers is made ready, the Registry is directed to list the main appeal for final hearing after two weeks.

sd/-
06/03/2025

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/03/2025

Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

DSK
TO

1 THE SESSIONS JUDGE, SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI.

2 THE INSPECTOR OF POLICE, ALL WOMEN POLICE STATION,
TIRUNELVELI TOWN, TIRUNELVELI DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN

CRL MP(MD) No.2799 of 2024
Date :06/03/2025

NBF / VR / SAR- (13/03/2025) 3P/4C

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