



CRL MP(MD) NO. 6915 of 2025

WEB COP BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10-06-2025

CORAM

THE HONOURABLE MS JUSTICE R.N.MANJULA

CRL MP(MD) NO. 6915 of 2025

IN

CRL A(MD) NO. 632 OF 2025

Lakshmanan

S/o.Pandi (Late), Thenmalai, Oradi, Sirumalai Puthur Post,
Dindigul District.

Petitioner(s)

Vs

The State of Tamilnadu

Rep by The Inspector of Police, Dindigul Rural All Women
Police Station, Dindigul District. Crime no.17 of 2024.

Respondent(s)

Prayer: This Criminal Miscellaneous Petition is filed to suspend the sentence of the petitioner imposed by the learned Sessions Judge, Special Court for exclusive trial of POCSO Act Cases, Dindigul, dated 20.03.2025, made in Spl.S.C.No.90 of 2024.

For Petitioner(s):

N.Dilipkumar
Jagadeeshwaran R
Dharmar.N
Jagadeesh.Y
R.M.Ajay Parthiban
P.Ashok
Sudarkodi Nachiar.P
Amirthavarshini.A
Nandhini.T
Ajin Singh S A

For Respondent(s):

Public Prosecutor



CRL MP(MD) NO. 6915 of 2025

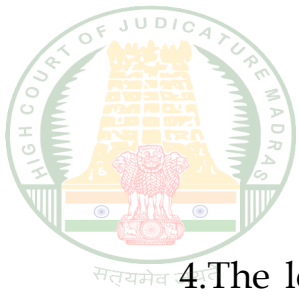
ORDER

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The Criminal Miscellaneous Petition is filed for suspension of sentence imposed by the learned Sessions Judge, Special Court for exclusive trial of POCSO Act Cases, Dindigul, dated 20.03.2025, made in Spl.S.C.No.90 of 2024. The appellant is the sole accused.

2.The case of the prosecution is that on 24.04.2024, when the victim girl/PW7 was studying in 7th standard, at about 11.30p.m., after the family members slept, the accused came near to his house and kidnapped the victim girl alone by threatening her and confined her in the Estate of one Suresh and sexually assaulted her.

3.The learned counsel for the petitioner submitted that the petitioner has been found guilty for the offence under Section 363 IPC and Section 10 of POCSO Act, 2012 and convicted and sentenced him to undergo rigorous imprisonment for a period of 3 years and to pay a fine of Rs.5,000/-, in default to undergo 6 months simple imprisonment for the offence under Section 363 IPC and convicted and sentenced him to undergo rigorous imprisonment for a period of 5 years and to pay a fine of Rs.5,000/- in default to undergo one year simple imprisonment for the offence under Section 10 of POCSO Act. Both the sentence period are ordered to be run concurrently.

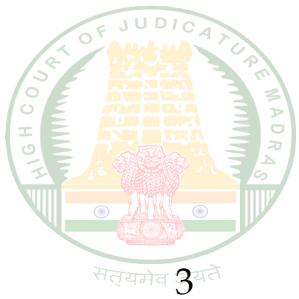


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4. The learned counsel for the appellant submitted that the very evidence of victim girl itself shows that there is no ingredients found to incriminate the accused in this case and she has deposed that she had gone to her paternal aunt's house, as she was scolded by her parents for her poor academic performance and that was not properly appreciated by the Court.

5. Having regard to the aforesaid point, I feel there are arguable points involved in this appeal. In view of the above, the substantive sentence of imprisonment of the petitioner alone is suspended pending disposal of the appeal on the following conditions:

- 1 The petitioner shall execute a bond for a sum of Rs.25,000/-, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for exclusive trial of POCSO Act Cases, Dindigul;
- 2 The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity; and



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The petitioner shall appear before the concerned Court every day at 10.30 a.m., until further orders and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, this Criminal Miscellaneous Petition is allowed.

sd/-
10/06/2025

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/06/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

To

1. The Sessions Judge,
Special Court for exclusive trial of POCSO Act Cases, Dindigul

2. The Superintendent of Prison,
Central Prison, Trichy.

3. The Inspector of Police,
Dindigul Rural All Women Police Station,
Dindigul District.

4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai

+1 CC to M/s.N.DILIPKUMAR, Advocate (SR-6131[I] dated 10/06/2025)



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IN
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IN
CRL A(MD) NO. 632 OF 2025
Date :10/06/2025

MK/13.06.2025 5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023