



Crl.M.P.(MD)No.16838 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.03.2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.16838 of 2023

in Crl.A.(MD)No.423 of 2023

Selvaprabu Male,
S/o.Narayanan,
D.No.67, Bharathidasan Street,
Sivagami Nagar, Aathikulam,
Madurai.

Petitioner(s)

versus

State Rep. By
The Assistant Commissioner of Police,
Anti Dowry Cell,
Tallakulam AWPS,
Madurai.

Respondent(s)

For Petitioner(s):

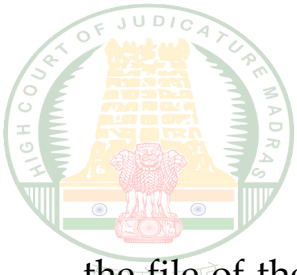
Mr.S.S.Sundarapandian
Advocate

For Respondent(s):

Mr.T.Senthil Kumar,
Additional Public Prosecutor

ORDER

This petition is filed to suspend the sentence imposed on the petitioner/accused, by Judgment dated 02.03.2023, made in Spl.S.C.No.57 of 2017 on



Crl.M.P.(MD)No.16838 of 2023

the file of the Principal Special Court for Exclusive Trial of cases under POCSO Act,
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Madurai.

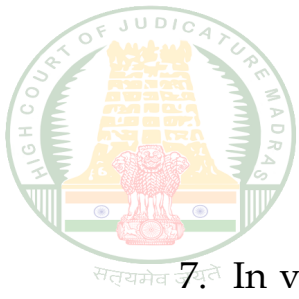
2. Today, when this petition is taken up for hearing, it is represented that the learned counsel on record for the petitioner has now been appointed as Government Advocate and therefore, the learned counsel Mr.S.S.Sundarapandian requests for a short accommodation to proceed with the appeal.

3. The learned Additional Public Prosecutor submits that this is the second petition. This Court has already considered the earlier petition filed by the petitioner in Crl.M.P.(MD)No.7747 of 2023 in Crl.A.(MD)No.423 of 2023 elaborately and dismissed the same, by its order dated 04.07.2023. Therefore, there is no change in circumstances to consider this petition.

4. This Court has perused the victim's statement recorded under Section 164 Cr.P.C. and the evidence of the victim child and also the earlier order of this Court passed in Crl.M.P.(MD)No.7747 of 2023.

5. Considering the age of the victim child and the manner in which the victim child was subjected to sexual assault, this Court is not inclined to grant suspension of sentence.

6. At this juncture, Mr.S.S.Sundarapandian, learned counsel for the petitioner seeks permission of this Court to withdraw this petition.



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7. In view of the endorsement made by the learned counsel appearing for the
petitioner, this Criminal Original Petition is dismissed as withdrawn.

sd/-
21/03/2025

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/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO

1 THE PRINCIPAL SPECIAL JUDGE
FOR EXCLUSIVE TRIAL OF CASES UNDER POCSO ACT,
MADURAI.

2 THE ASSISTANT COMMISSIONER OF POLICE,
ANTI DOWRY CELL,
TALLAKULAM AWPS,
MADURAI.

3 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

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

ORDER IN
Crl.M.P.(MD)No.16838 of 2023
in Crl.A.(MD)No.423 of 2023
Date :21/03/2025

SA/SAR. /07.04.2025/3P/5C

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