



WEB COPY

CRL MP No. 24127 of 2

Crl.A.No.1216 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 13-02-2026**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CRL MP No. 24127 of 2025**

**in**

**CRL A NO. 1216 OF 2024**

Dhandapani  
S/o.Murugesan, D.No.24E, Tank Pet  
Line, TNAU Back side, S.N.Palayam,  
Coimbatore. At Present confined at  
Central Prison Coimbatore.

Petitioner(s)

Vs

State rep.by, The Inspector of Police,  
All Women Police Station, West,  
Coimbatore City. Cr.No.02/2021.

Respondent(s)

**PRAYER** Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, 2023, praying to suspend the sentence imposed on the petitioner in Spl.C.C.No.52 of 2021 on the Principal Special Court for Exclusive trial of cases under POCSO Act, Coimbatore by an dated 21.05.2025 and enlarge the petitioner on bail, pending disposal of the Criminal Appeal.

For Petitioner(s): Mr.Swami Subramanian

For Respondent(s): Mr.S.Balaji,  
Government Advocate (Criminal Side)

**ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 21.05.2025 passed in Special C.C.No.52 of 2021 by the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore, pending disposal of the above criminal appeal, and to enlarge the petitioner on bail.

2. The petitioner/Accused in Special C.C.No.52 of 2021 was convicted by the Trial Court by judgment dated 21.05.2025, for the following offence:

| Conviction under Section                                                                                                  | Sentence awarded                                                                                                                               |
|---------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| 5(m) punishable under Section 6(1) of the Protection of Children from Sexual Offences Act, 2012 and Section 376(3) of IPC | To undergo rigorous imprisonment for twenty years and to pay a fine of Rs.10,000/- and in default to undergo simple imprisonment for one year. |

3. The case of the prosecution is that the petitioner, who is a neighbour, had taken the victim girl, aged about 7 years, to his house and made her sit on his lap and inserted his finger into the genital parts of the victim girl and thus committed the aforesaid offences.

4. Learned counsel for the petitioner would submit that there are several grounds and that the petitioner is in custody from 21.05.2024. This Court finds



from the impugned judgment and the evidence produced that the prosecution has proved its case by the evidence of the victim, which is corroborated by the evidence of the Doctor and also corroborated by the evidence of the victim's mother, PW2.

5. Considering the nature and seriousness of the offence, this Court is not inclined to entertain the suspension of sentence at this stage.

6. Hence, this Criminal Miscellaneous Petition stands dismissed.

**13-02-2026**

cda

To

- 1.The Principal Special Court for  
Exclusive Trial of Cases under POCSO Act, Coimbatore.
- 2.The Inspector of Police,  
All Women Police Station, West,  
Coimbatore City.
- 3.The Public Prosecutor,  
High Court, Madras.



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CrI.A.No.1216 of 2024

**SUNDER MOHAN J.**

cda

**CRL MP No. 24127 of 2025  
AND CRL A NO. 1216 OF 2024**

**13-02-2026**