



WEB COPY

CRL MP(MD) NO. 1.



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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-03-2026

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) NO. 14362 of 2023

in CrI.A.(MD)No.924 of 2023

Ajithkumar

Petitioner(s)

Vs

1. The Inspector of Police,
Sellur Police Station,
Sellur Madurai District.
In Crime No.1358/2017.

Respondent(s)

For Petitioner(s):

No appearance

For Respondent(s):

Mr.A.S.Abul Kalaam Azad, Government Advocate

Prayer:

To suspend the sentence imposed against the petitioner by the Principal Special Court for Exclusive Trial of Cases under Prevention of Children from Sexual Offences Act, Madurai in Spl SC No.64/2017 dated 27.04.2022 and release the petitioner on bail till.

ORDER

The petitioner, sole accused in Spl.SC.No.64 of 2017, on the file of the learned Sessions Judge, Principal Special Court for Exclusive Trial of POCSO Act cases, Madurai, was found guilty by the trial Court and was convicted and sentenced to undergo 7 years imprisonment, fine of Rs.5,000/-, in default to pay fine, 6 months SI for the offence punishable under



Section 3(a) r/w 4 of POCSO Act.



2. As against the conviction and sentence imposed by the trial Court in Spl.SC.No.64 of 2017, dated 27.04.2022, the petitioner has filed a Criminal Appeal in CrI.A(MD)No.924 of 2023 and the same was admitted by this Court on 12.10.2023. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

3. Though this application was filed in the year 2023, this application was not prosecuted from day one. Initially, when this application was listed on 07.03.2024, it was adjourned. Subsequently, when it was listed on 25.03.2026, at request of the learned counsel for the petitioner, it was adjourned to 27.03.2026. However, when this application was listed on 27.03.2026, there was no representation for the petitioner and hence, the Registry was directed to list this matter under the caption 'for dismissal' on 30.03.2026. Even today, there is no representation for the petitioner.

4. The learned Government advocate appearing for the respondent submits that the victim boy is aged only 17 years and he was mentally retarded. On the date of occurrence, while the victim boy was playing, the petitioner, who is aged about 24 years has taken him to a secluded place and had oral sex. He also pointed out that the typed set of papers are made ready and prayed for final disposal of the case.

5. Since there is no representation for the petitioner and that typed set of papers in the main appeal are made ready, this Criminal Miscellaneous Petition is dismissed.



6. Post the main appeal for final disposal, in the usual course.



30-03-2026

To

1. The learned Sessions Judge,

Principal Special Court for Exclusive Trial of POCSO Act cases,

Madurai.

2. The Inspector of Police,
Sellur Police Station,
Sellur Madurai District.

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