



CrIMP(MD)No.10151 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 12.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE **B.PUGALENDHI**

CrIMP(MD)No.10151 of 2025
in
CrIA(MD)No.402 of 2024

Kalimuthu

...Petitioner

Vs

The State of Tamil Nadu rep by
the Inspector of Police,
All Women Police Station,
Bodi,
[Crime No.2 of 2021],
Theni District.

... Respondent

PRAYER: Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita to suspend the execution of sentence made by the Sessions Judge, Special Court for Exclusive Trial of POCSO Act Cases, Theni in SplSC.No.177 of 2023 dated 27.12.2023, enlarge the petitioner on bail till the disposal of the criminal appeal.

For Petitioner : Mr.Palaniyandi.NA

For Respondent : Mr.S.Prakash,

Government Advocate



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ORDER

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The petitioner is accused in Spl.SC.No.177 of 2023 on the file of the Special Court for Exclusive Trial of POCSO Act Cases, Theni. By judgment dated 27.12.2023, the petitioner was found guilty, convicted and sentenced to undergo 20 years rigorous imprisonment with a fine of Rs.20,000/- in default to undergo one year simple imprisonment for the offence under Section 6 of the POCSO Act. As against the conviction and sentence imposed by the trial Court, this petitioner has filed an appeal before this Court in CrI.A(MD)No.402 of 2024 and the same has been admitted by this Court. This petition is filed to suspend the sentence.

2.This is the second petition filed to suspend the sentence. The earlier petition filed by this petitioner in CrIMP(MD)No.5057 of 2024 has been dismissed by this Court on 22.10.2024 considering the nature of offence.

3.This court has perused the statement of the victim recorded under Section 164 CrPC and the statement of the Doctor, who examined the victim child. The victim child aged about six years has been exploited by



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this petitioner, who is aged about 60 years. The Doctor has observed reddish contusion on the private part and has also noticed scratches on the breast of the victim child. Considering the nature of the offence and that there is no change in circumstance since the dismissal of the earlier petition, this court is not inclined to entertain this petition. Accordingly, this petition is dismissed.

12.03.2026

DSK

To

- 1.The Inspector of Police,
All Women Police Station,
Bodi, Theni District.
- 2.The Sessions Judge,
Special Court for Exclusive
Trial of POCSO Act Cases, Theni

Copy to

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



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B.PUGALENDHI.J.,

DSK

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