



Crl.M.P.(MD)No.14662 of 2025

in Crl.A.(MD)No.389 of 2023

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26.03.2026

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THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.14662 of 2025

in Crl.A.(MD)No.389 of 2023

Vincent

... Petitioner

versus

The State of Tamil Nadu, rep. by
The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.

... Respondent

Petition filed under Section 430(1) of BNSS 2023, seeking to suspend the sentence of imprisonment imposed by the learned Sessions Judge, Special Court for protection of Children from the Sexual Offences Act Cases in Nagercoil, in Spl.S.C.No.48 of 2021 dated 13.04.2025 and enlarge the petitioner on bail, pending disposal of the criminal appeal .

For Petitioner : Mr.V.Baskaran



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For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl. Side)

ORDER

The petitioner is the sole accused in Spl.S.C.No.48 of 2021 on the file of the Special Court for protection of Children from the Sexual Offences Act Cases, Nagercoil. He was tried for the offence under Sections 416 IPC r/w. 419 IPC, 366 and 506(ii) IPC, Sections 11(iv) r/w. 12 of POCSO Act and Section 5(l) r/w. 6 of POCSO Act that he had sexually abused the victim child aged about 14 years and also threatened her. After the trial, the trial Court, by its Judgment dated 13.04.2023, found the petitioner guilty for the offence under Sections 416 IPC r/w. 419 IPC, 366 and 506(ii) IPC, Sections 11(iv) r/w. 12 of POCSO Act and Section 5(l) r/w. 6 of POCSO Act and convicted and sentenced him as under:

Sl.No	Sections	Punishment	Fine amount	Default
1.	5(1) r/w. 6 of POCSO Act	25 years rigorous imprisonment	Rs.50,000/-	One year rigorous imprisonment



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2.	11(iv) r/w. 12 of POCSO Act	2 years rigorous imprisonment	Rs.1,000/-	Three months simple imprisonment
3.	366 IPC	7 years rigorous imprisonment	Rs.2000/-	6 months simple imprisonment
4.	416 r/w. 419 IPC	2 years rigorous imprisonment	-	-
5.	506(ii) IPC	3 years rigorous imprisonment	-	-

Challenging the Judgment of conviction and sentence, the petitioner has filed an appeal before this Court in Crl.A.(MD)No.389 of 2023 and the same was admitted by this Court on 07.07.2023.

2. Earlier, the petitioner had moved a petition in Crl.M.P.(MD)No.7419 of 2023 seeking to suspend the sentence imposed by the trial Court. This Court, after considering the case of the prosecution and the nature of offence, has dismissed the earlier petition in Crl.M.P.(MD)No.7419 of 2023, by its order 16.04.2025.



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3. Since there is no change in circumstances of the case, this Court is not inclined to entertain this petition.

4. Accordingly, this Criminal Miscellaneous Petition is dismissed. Since the typed set of papers is made ready, the Registry is directed to list the main appeal under the caption “accused in jail cases”.

26.03.2026

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To

1. The Inspector of Police,
All Women Police Station,
Marthandam,
Kanyakumari District.
2. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.

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