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Rajasekar vs State by

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SooperKanoon Citation : sooperkanoon.com/1765337

Court : Chennai Orders

Decided On : Jul-24-2025

Judge : Honourable Mr Justice G.K. Ilanthiraiyan

Appeal No. : CRL MP/5782/2025

Appellant : Rajasekar

Respondent : State by

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN in Rajasekar ...Petitioner Vs. State Rep by The Inspector of Police, (Crime No. 1/2019) ... Respondent PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) BNSS, 2023 to suspend the execution of the sentence passed in Spl. S.C. No.36/2023, dated 05.12.2024 on the file of the Special Judge for POCSO Act, at Dharmapuri and release the petitioner/appellant on bail pending disposal of Crl. A. SR. No.7309 of

2025.

For Petitioner : Mr.Ramprakash Rajagopal For Respondent : Mr.S.Raja Kumar, Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Special Judge for POCSO Act, at Dharmapuri in Spl.S.C.No.36 of 2023 dated 05.12.2024, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in Spl.S.C.No.36 of 2023

on the file of the learned Special Judge for POCSO Act, Dharmapuri. He was found guilty for the offences punishable under Section 3 r/w 4 of POCSO (Amendment Act), 2019 and has been convicted and sentenced to undergo rigorous imprisonment for a period of ten years and to pay a fine of Rs.10,000/- in default to undergo simple imprisonment for a period of six months. Aggrieved by the same, the present appeal has been filed.

3. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor for the respondent.

4. This Court finds no reasons to suspend the sentence since the

Trial Court has gone through the evidence in its entirety and also finds that the petitioner has committed very serious and heinous offence as against the minor victim girl who is aged about 16 years at the time of occurrence.

5. In the result, the petition for suspension of sentence is dismissed. Index : Yes/No Neutral citation : Yes/No

Speaking/non-speaking order

Nhs

G.K.ILANTHIRAIYAN, J.

Nhs To

1. The Special Judge for POCSO Act, Dharmapuri

2. The Inspector of Police, 3.The Public Prosecutor, High Court of Madras, Chennai-600 104.

4. The Superintendent, Central Prison, Salem. in

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