



IN THE HIGH COURT OF JUDICATURE AT MADRAS
DATED: 21.06.2024

CORAM:

THE HON'BLE **MR.JUSTICE M.DHANDAPANI**

CrI.M.P.No,7811 of 2024
in CrI.A.No.611 of 2024

Velu

.... Petitioner

Vs.

The Inspector of Police,
Chengam All Women Police Station,
Thiruvannamalai District.
Cr. No.5 of 2021

...Respondent

Miscellaneous Petition has been filed under Section 389 of Cr.P.C., to suspend the sentence execution of sentence imposed on the petitioner/petitioner by the order of the learned Special court for the Exclusive Trial of POCSO Act cases, Tiruvannamalai in Special S.C.No.55 of 2021 dated 17.04.2023.

For Petitioner : Mr.E.Sathiyaraj

For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous petition has been filed to suspend the sentence execution of sentence imposed on the petitioner/petitioner by the order of the learned Special court for the



WEB COPY S.C.No.55 of 2021 dated 17.04.2023.

Exclusive Trial of POCSO Act cases, Tiruvannamalai in Special

2. The petitioner is in jail from 17.04.2023 and the trial Court has convicted the petitioner under Section 9 (m) read with 10 of POCSO Act 2012 and sentenced to undergo 7 years RI and to pay a fine of Rs.5,000/-in default, to undergo SI for one year.

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

4.The case of the prosecution is that the victim is aged about 12 years. The petitioner herein is relative of the defacto complainant. On 18.07.2021, the petitioner has misbehaved to the minor girl. Based on the complaint lodged by the father of the victim, the respondent police has registered a case.

5. The learned counsel appearing for the petitioner submitted that the petitioner is an innocent. There is a contradiction over the



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evidence of PW1 & PW3, which creates doubt about the case. The petitioner is in jail for more than one year. Hence, he prays for grant of bail to the petitioner.

6. Considering the period of incarceration of the petitioner, this Court is inclined to grant bail to the petitioner. Accordingly, the petitioner ***is ordered to be released on bail*** subject to the following conditions:

(i) the petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Chengam, Tiruvannamalai District;

(ii) the petitioner shall appear before the learned Judicial Magistrate, Chengam, Tiruvannamalai District weekly once i.e. First working day of every week at 10.30 a.m. until further orders;



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21.06.2024

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Note to office: Issue order copy on 21.06.2024

Index : Yes/No

Speaking Order : Yes/No

NCC : Yes/No



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To

1. The Inspector of Police,
Chengam All Women Police Station,
Thiruvannamalai District.

2. The Judge, Special court for the Exclusive
Trial of POCSO Act cases, Tiruvannamalai.

3. The Superintendent,
Central Prison, Vellore.

4. The Public Prosecutor,
High Court of Madras,
Chennai – 600 104.



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M.DHANDAPANI, J.

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