



Crl.M.P No.3613 of 2024 in
Crl.A.No.779 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.3613 of 2024
in
Crl.A.No.779 of 2023

Jayajamin

.... Petitioner

Vs

The Inspector of Police,
Thiruvannainallur Police Station,
Crime No.237 of 2020

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of Criminal Procedure Code to suspend the sentence passed in Spl.S.C.No.91/2020 dated 02.06.2023 by the Learned Sessions Judge, Special Court for exclusive trial of Cases, Under POCSO Act, Villupuram (FAC) for the offences under Section 5(m) of the POCSO Act 2012 and convicted under Section 6 of the POCSO Act 2012 and sentenced to undergo Rigorous Imprisonment for Twenty years and grant bail to the petitioner pending disposal of the Criminal Appeal.

For Petitioner : Mr.T.Saravanan

For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the Learned Sessions Judge, Special Court for exclusive trial of Cases, Under POCSO Act, Villupuram (FAC) in S.C.No.91/2020 dated 02.06.2023 thereby convicted the petitioner for the offences punishable under Section 6 of the POCSO Act 2012.

2. The petitioner herein is the accused in S.C.No.91 of 2020 on the file of the learned Sessions Judge, Special Court for exclusive trial of Cases, Under POCSO Act, Villupuram (FAC). He was found guilty of the offence under Section 5(m) of the POCSO Act 2012 and convicted under Section 6 of the POCSO Act 2012 and sentenced to undergo Rigorous Imprisonment for period of twenty years and to pay fine amount of Rs.5,000/- and in default to undergo six months of simple imprisonment.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal



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and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.

4. Heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner and coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that this criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) the petitioner shall execute an own bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;



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(iii) The petitioner shall appear before the Trial Court daily for a period of 30 days thereafter on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court;

6. With the above directions, this Criminal Miscellaneous Petition is ordered.

24.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
Nhs



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To

1. The learned Sessions Judge, Special Court
for exclusive trial of Cases, Under POCSO Act,
Villupuram (FAC)
2. The Inspector of Police,
Thiruvannainallur Police Station,
Villupuram.
3. The Public Prosecutor,
High Court of Madras,
Chennai-600 104.
4. The Superintendent,
Central Prison,
Cuddalore.



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G.K.ILANTHIRAIYAN, J.

Nhs

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