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Crl.M.P.No.8277 of 2024 in
Crl.A.No.726 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

Crl.M.P.No.8277 of 2024
in Crl.A.No.726 of 2024

Karuppusamy

.... Petitioner

Vs

The Inspector of Police
Anaimalai Police Station
Coimbatore District.
(Cr.No.615 of 2020)

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of BNSS, 2023), to suspend the sentence imposed in Spl.C.No.26 of 2021 on the file of the Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Coimbatore dated 13.03.2024, pending disposal of the above appeal.

For Petitioner : Mr.B.Kumarasamy

For Respondent : Mr.V.Meganathan
Government Advocate (Crl.Side)

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in Spl.C.C.No.26 of 2021 dated 13.03.2024, passed by the learned Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Coimbatore and pending disposal of the Criminal Appeal in Crl.A.No.726 of 2024.

2. The petitioner herein is the accused in Spl.C.C.No.26 of 2021 on the file of the learned Principal Special Court for Exclusive Trial of Cases under the POCSO Act, Coimbatore. He was found guilty of the offence under Sections 366(A) of IPC, Section 6 of the Protection of Children's from Sexual Offences Act, 2012 and he has been convicted and sentenced to Rigorous Imprisonment for a period of twenty years and to pay a fine of Rs.10,000/- in default of payment of fine to undergo Simple Imprisonment for one year (fine not paid) for the offence under Section 6 of POCSO Act and sentenced to undergo five years of Rigorous Imprisonment and to pay a fine of Rs.5,000/- in default of payment of fine to undergo six months Simple Imprisonment (fine not paid). Both the sentences directed to be run concurrently. Aggrieved by the same, the present Appeal has been filed.

3. The learned counsel for the petitioner submitted that due to political



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vengeance, he has been falsely implicated in this case. He is not having any communication with the victim family. So far the victim compensation also not given to the victim girl. But however earnest steps were taken by the prosecution. Both are close relatives. He further submitted that there are arguable points available in the Criminal Appeal Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal Case. He further submitted that the fine amount has already been paid and hence, the substantive sentence imposed against the petitioner/accused may be suspended and the petitioner is ready to abide any condition to be imposed by this Court.

4.Heard the learned counsel appearing on either side and also perused the materials placed on record.

5.Considering the submissions of the learned counsel for the petitioner, 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 Case, the



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reliefs of suspension of sentence and bail are granted on the following
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(i) The petitioner shall execute a 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;

(iii) The petitioner shall appear before the Trial Court 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.



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

To

1.The Principal Special Court for Exclusive Trial of Cases
under the POCSO Act, Coimbatore.

2.The Inspector of Police
Anaimalai Police Station
Coimbatore District.
(Cr.No.615 of 2020)

3.The Superintendent, Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

dna

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