



CRL MP NO. 18996 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 18996 of 2025 IN CRL A NO. 1570 OF 2025

S.Santhoshkumar
S/o.Sakkaraiyan, Ravanapuram, Kongalnagaram Village,
Pudupalayam (PO), Uduimalaipet Taluk, Tiruppur District-642
205.

Petitioner(s)

Vs

The State Rep by, The Inspector of Police,
All Women Police Station, Udumalpet Police Station, Tiruppur-
642 205. Cr.No.12/2020.

Respondent(s)

Prayer: This petition is filed to suspend the sentence imposed on the petitioner by

Judgment dated 27.06.2022 passed by the Sessions Judge, Mahalir Nedhi Mandram,

Fast Track Mahila Court, Tiruppur in Spl.S.C.No.83 of 2020 by Judgment dated

27.06.2022 and release him on bail pending disposal of the above Criminal Appeal.

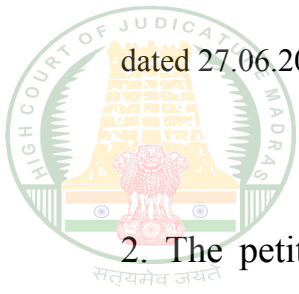
For Petitioner(s):

V.Alamelu
R.Latha

For Respondent(s): Mr.V. Meganathan, Government Advocate

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed on the petitioner by Judgment dated 27.06.2022 passed by the Sessions Judge, Mahalir Nedhi Mandram, Fast Track Mahila Court, Tiruppur in Spl.S.C.No.83 of 2020 by Judgment



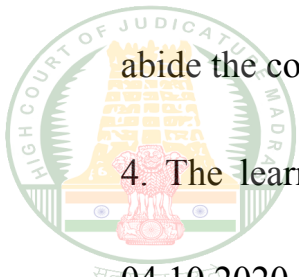
dated 27.06.2022 and release him on bail pending disposal of the above Criminal Appeal.



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2. The petitioner herein is the accused in Spl.S.C.No.83 of 2020 on the file of the learned Mahalir Nedhi Mandram, Fast Track Mahila Court, Tiruppur. He was found guilty of the offence under Sections 3 (a) r/w 4 (2) of POCSO Act and u/sec 506(1) of IPC and that the accused is convicted and sentenced to undergo 20 years rigorous imprisonment and imposed a fine of Rs.500/- in default to undergo further SI for 3 months for the offence U/Sec 3 (a) r/w 4(2) of POCSO Act and convicted and sentenced to undergo 2 years rigorous imprisonment and fine Rs.500/- in default to undergo further SI for 3 months for the offence u/sec. 506(1) of IPC. The period of judicial custody already undergone is ordered to be set off under section 428 of Cr.P.C. Total fine of Rs.1,000/- is imposed. The sentences are ordered to run concurrently. Hence, the present appeal has been filed.

3.The learned counsel for the petitioner/accused would submit that the petitioner has been falsely implicated in this case and he is having a valid defence available in the Criminal appeal and the petitioner/accused has a fair chance of succeeding in the Criminal appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to



abide the condition imposed by this Court.

4. The learned Government Advocate appearing for the respondent submits that on

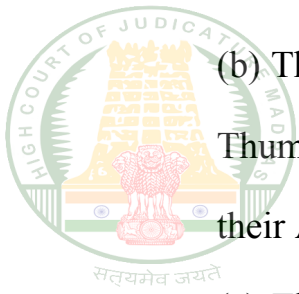
04.10.2020 when the victim order went to attend the natural call proceeded to thorn

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forest situated opposite to her house and after completing her natural call when she came back at 2:45 and when she was proceeding back from the thorn forest, the accused who is also a resident of the same area attempted to commit penetrative sexual assault and with an intention came back behind the victim girl and pushed her down and gagged her mouth. However, the victim girl escaped from the place and went out.

5. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, further 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:

(a) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties (out of which one must be a blood related surety) each for a like sum to the satisfaction of the learned Judicial Magistrate Court at Udumalpet.



(b) The petitioner/accused and the sureties shall affix their photographs a

Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall stay at Erode and report before the Erode Town Police Station and appear Erode Town Police Station everyday at 10.30 a.m., for a period of four months and thereafter shall report before the shall appear before the Trial Court on every Tuesday at 10.30 a.m., until the disposal of the Criminal 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.

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

13-10-2025

To

- 1.The Mahalir Nedhi Mandram, Fast Track Mahila Court, Tiruppur
2. The Judicial Magistrate Court at Udumalpet
- 3.The Inspector of Police,
All Women Police Station,
Udumalpet Police Station,Tiruppur-642 205.
- 4.The Superintendent, Central Prison at Coimbatore.
- 5.The Public Prosecutor, High Court of Madras.

T.V.THAMILSELVI,J.



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