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CrI.M.P.No.13741 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22.09.2025

C O R A M

THE HONOURABLE MRS.JUSTICE J.NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S.SOUNTHAR

CrI.M.P.No.13741 of 2025

in CrI.A.No.908 of 2025

Saleem @ Syed Saleem

... Petitioner/Appellant

-VS-

The State Rep. by,
The Inspector of Police,
Tiruppur South Police Station,
Tiruppur
(Crime No.27 of 2007)

... Respondent/Respondent

Prayer: Petition filed under Section 389 (2) of Cr.P.C. to suspend the sentence and conviction made in the judgment in Spl.S.C.No.51 of 2021 on the file of the Special Court for Exclusive Trial of cases under POCSO Act, Tiruvannamalai District dated 06.06.2024.

For Petitioner : Mr.K.Sudhakar
For Respondent : Mr.A.Damodaran
Addl. Public Prosecutor

ORDER

J.NISHA BANU, J.

AND

S.SOUNTHAR, J.

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence imposed by the Learned I Additional District and Sessions Judge Tiruppur in S.C.No.34 of 2017 vide Judgment dated 04.06.2025 and be



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pleased to enlarge the petitioner/Appellant on bail, pending disposal of the Criminal Appeal before this Court and enlarge the petitioner on bail.

2. When the matter is taken up for hearing, learned counsel for the petitioner submitted that the petitioner was convicted vide judgment dated 04.06.2025 and confined in Central Prison, Coimbatore. Against the said judgment of conviction and sentence, the present Criminal Appeal has been filed along with the Miscellaneous Petition to suspend the sentence, pending criminal appeal. He further submitted that since the health of the petitioner severely deteriorated during his confinement in prison, a request was made to the Jail authorities to permit him to avail medical treatment privately outside and grant him interim bail. The said request was rejected by the Jail authorities, as there was no provision in the jail manual to give such permission. Hence, learned counsel for the petitioner insisted to consider the suspension of sentence, taking into account the health condition of the Convict.

3. Learned Additional Public Prosecutor objected to suspend the sentence, stating that the rejection order passed by the Jail authorities has not been challenged before this Court.

4. In view of the above submission of the learned Additional Public Prosecutor, we are of the view that in the absence of challenge to the rejection



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order, we are not inclined to suspend the sentence at this stage and the petition is liable to be dismissed.

5. Accordingly, the Criminal Miscellaneous Petition is dismissed.

Liberty is granted to the petitioner to question the rejection order passed by the Jail Authority.

(J.N.B.J.) (S.S.J.)
22.09.2025

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To:

1. The Inspector of Police,
Tiruppur South Police Station,
Tiruppur.
2. The Public Prosecutor,
High Court, Madras.

J.NISHA BANU, J.
AND
S.SOUNTHAR, J.



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