



WEB COPY



Crl.M.P.No.16500 of 2025 in
Crl.A.No.1383 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02.09.2025

CORAM:

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

Crl.M.P.No.16500 of 2025
Crl.A.No.1383 of 2025

Karthik

.... Petitioner

Vs

State By:
Inspector of Police,
Vaniyambadi All Women Police Station,
[Crime No.9/2019]

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 (1) of B.N.S.S., to suspend the sentence passed by the Hon'ble Sessions Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Thirupathur in Spl.S.C.No.37 of 2024 dated 07.07.205 and he may be enlarged on bail.

For Petitioner : Mr.C.Senapathi

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



Crl.M.P.No.16500 of 2025 in
Crl.A.No.1383 of 2025

ORDER

WEB COPY

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence passed by the Hon'ble Sessions Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Thirupathur in Spl.S.C.No.37 of 2024 dated 07.07.2025 and he may be enlarged on bail.

2.The petitioner herein is the accused in Spl.S.C.No.37 of 2024 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Thirupathur. He was found guilty of the offence under Sections 5(m), 6 (i) r/w 6 @ 2012 of POCSO Act @ 9 (m), 9(i) r/w 10 of POCSO Act 2012 and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Sections 5(m), 6 (i) r/w 6 @ 2012 of POCSO Act @ 9 (m), 9(i) r/w 10 of POCSO Act 2012	to undergo 5 years rigorous imprisonment and to pay fine of Rs.2,000/-, in default to undergo simple imprisonment for three months.

3.Learned counsel for the petitioner/accused submitted that there are arguable points available in the Criminal Revision Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the



Crl.M.P.No.16500 of 2025 in
Crl.A.No.1383 of 2025

WEB COPY

petitioner/accused may be suspended. Learned counsel further submitted that the witnesses were examined by the Trial Court are the family members of the victim girl and accused has been in custody for 56 days. He further submitted that the petitioner is ready to abide any condition to be imposed by this Court. Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.

4.Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

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

6.Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and



Crl.M.P.No.16500 of 2025 in
Crl.A.No.1383 of 2025

WEB COPY

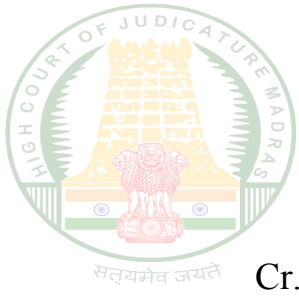
taking into consideration the fact that this criminal revision is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions.

7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned **Sessions Judge, Special Court for Exclusive Trial of Cases Under POCSO Act Thiruppathur**

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Town Police Station, Vellore on every Tuesday and every Saturday at 10.30 a.m., until the disposal of the Criminal Appeal and if he is not able to appear before the Town Police Station, Vellore on any day, he shall make arrangements to file an application under Section 317



Crl.M.P.No.16500 of 2025 in
Crl.A.No.1383 of 2025

WEB COPY

Cr.P.C. and shall appear before the Town Police Station, Vellore
on any other day in lieu of the date of his absence, as directed by
the Town Police Station, Vellore.

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

02.09.2025

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

pam



WEB COPY



Crl.M.P.No.16500 of 2025 in
Crl.A.No.1383 of 2025

T.V.THAMILSELVI, J.

pam

To

- 1.The Sessions Judge, Special Court for Exclusive Trial of Cases
Under POCSO Act Thiruppathur.
- 2.The Inspector of Police,
Vaniyambadi All Women Police Station.
[Crime No.9/2019]
- 3.The Town Police Station,
Vellore.
- 4.The Public Prosecutor,
High Court of Madras.

Crl.M.P.No.16500 of 2025
in Crl.A.No.1383 of 2025

02.09.2025