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CRL MP No. 16858 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 16858 of 2025

IN

CRL A NO. 1426 of 2025

PERUMAL

S/o.Murugan, Vangaram Colony,
Vandavasi Taluk, Tiruvannamalai
District.

Petitioner(s)

Vs

The State of Tamilnadu,
Represented by,
The Inspector of Police, All Women
Police Station, Vandavasi,
Tiruvannamalai District.

Respondent(s)

For Petitioner(s): D.Prasanna Kumar



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

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ORDER

The petitioner has filed this petition to Suspend the sentence of imprisonment imposed on him in Spl.SC.No.15/2020, on the file of the Learned Special Court for Exclusive Trial of POCSO Act Cases, Tiruvannamalai, dated 18.11.2024, pending disposal of the above Criminal Appeal and enlarge the petitioner on bail.

2. The learned counsel for the petitioner submits that the allegation against him is that he sexually abused the victim girl. He has been in custody for nearly three months and is ready to abide by any condition imposed by this Court for suspension of sentence.

3.The learned Government Advocate (Crl.Side) raised an objection, stating that the victim girl was 8 years old at the time of the occurrence, while the petitioner was 50 years old. It is further contended that the prosecution has proved the case beyond reasonable doubt.



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4. Considering the submissions of both sides, it is noted that the petitioner is presently aged about 57 years and was convicted under Section 366 IPC and Section 6 read with 5(m) of the POCSO Act. He has been in custody for nearly 10 months and expresses willingness to abide by any condition imposed by the Court.

5. It is also noted that the victim girl is presently living under the care of her mother and as on date, the compensation amount of Rs.5,00,000/- has not yet been paid. Hence, the District Legal Services Authority, Tiruvannamalai, is directed to refer the matter to the District Collector for appropriate action regarding the payment of compensation within 12 weeks from the date of this order.

6. 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 is directed to deposit a sum of Rs.30,000/- (Rupees Thirty thousand only), to the credit of Spl.SC.No.15 of 2020, on the file of the Special Court for Exclusive Trial of POCSO Act Cases, Tiruvannamalai.

(b) 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, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the learned Special Court for POCSO Act, Tiruvannamalai.

(c) 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.

(d) The petitioner 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.

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(e) the victim is permitted to withdraw the amount, deposited by the petitioner, in Spl.SC.No.15 of 2020, on the file of the Special Court for Exclusive Trial of POCSO Act Cases, Tiruvannamalai, towards compensation for the mental agony caused to her and her family.

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

16-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1. The State of Tamilnadu,
Represented by,
The Inspector of Police, All Women
Police Station, Vandavasi,
Tiruvannamalai District.
2. The Special Court for POCSO Act,
Tiruvannamalai.
3. The Superintendent, Central Prison,
Vellore.
4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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