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CRL MP No. 16565 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 16565 of 2025

AND

CRL A NO. 298 OF 2025

1. RAJASEKAR

S/o.Mani, Kookkadapatti (Village),
Peathampatti (P.O), Papiredipatti (T.K),
Dharmapuri District.

Petitioner(s)

Vs

1. The State By, The Inspector Of
Police,
All Woman Police Station, Harur,
Dharmapuri District. Crime No.1/2019.

Respondent(s)

CRL MP No. 16565 of 2025

PRAYER

To suspend the execution of the sentence passed in Special Calendar Case No.36/2023, dated 05.12.2024 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, at Dharmapuri, against the petitioner/appellant, pending disposal of the above appeal.



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For Petitioner(s): Durai Gunasekaran
 S.Vijayakumar
 P. Praveen Kumar

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

ORDER

This petition has been filed to suspend the execution of the sentence passed in Special Calendar Case No.36/2023, dated 05.12.2024 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

2. The learned counsel for the petitioner submits that the petitioner is teacher by profession, he has been falsely implicated in this case as if he committed sexual assault on the victim girl. Further the petitioner was in jail for the past 293 days and he is ready to abide any conditions. Further, he submits that petitioner is the adjacent land owner and medical record has not been properly appreciated by the Trial Court, hence, the petitioner is having defence to prove his case. Hence, he prays to suspend the sentence imposed on the petitioner.

3. Considering the fact that the petitioner has no bad antecedents and also he is teacher by profession and taking into consideration the fact that this



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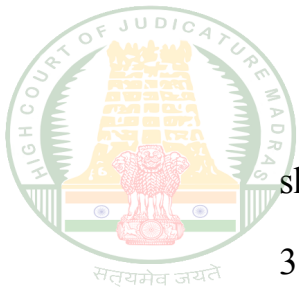
appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) the petitioner shall not have any communication with victim.

(ii) the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(iii) 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;

(iv) The petitioner shall appear before the Trial Court on every Sunday 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



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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;

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

22-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Inspector Of Police,
All Woman Police Station, Harur, Dharmapuri District.
2. The Special Court for Exclusive Trial of cases under POCSO Act,
Dharmapuri.
3. The Central Prison, Salem.
4. The Public Prosecutor High Court, Madras.



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T.V.THAMILSELVI J.
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