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Crl.M.P.No. 17663 of 2025 in
Crl.R.A.No. 1477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2025

CORAM:

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

Crl.M.P.No. 17663 of 2025
in
Crl.A.No. 1477 of 2025

Chandini

.... Petitioner/A2

Vs

State through
The Inspector of Police,
Vellore South (L&O) Police Station
Vellore District.
Crime No. 172 of 2022.

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 415(2) of BNSS, praying to suspend the sentence and fine amount imposed against the petitioner/appellant by judgment dated 16.04.2025 in Spl.S.C.No.163 of 2022 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Vellore, and release the petitioner/appellant on bail till the disposal of Criminal Appeal.



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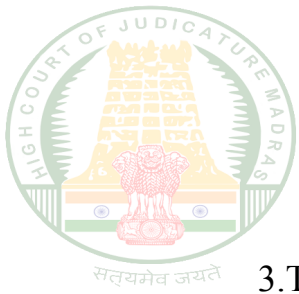
For Petitioner : Mr.S.Mohamed Ansar

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner/A2 seeking to suspend the sentence and fine amount imposed against the petitioner/appellant by judgment dated 16.04.2025 in Spl.S.C.No. 163 of 2022, passed by the learned Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Vellore, and release the petitioner/appellant on bail till the disposal of the Criminal Appeal.

2.The petitioner is the second accused in Spl.S.C.No. 163 of 2022 on the file of the Special Court for the Exclusive Trial of Cases under POCSO Act, 2012, Vellore. She was found guilty of the offence under Section 366(A) IPC and she has been convicted and sentenced to undergo ten years rigorous imprisonment and pay fine for a sum of Rs.5,000/- in default to undergo six months rigorous imprisonment and remanded for a period of 140 days. Aggrieved over the same, the petitioner/A2 had preferred an appeal in Crl.A.No.1477 of 2025 before this Court.

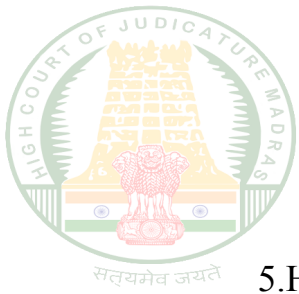


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3.The learned counsel for the petitioner/A2 submitted that there are arguable points available in the Criminal Appeal and the petitioner/A2 has got a fair chance of succeeding in the Criminal Appeal. He further submitted that the petitioner/A2 has paid the fine amount of Rs.5,000 and she has no previous case, no individual witness was examined and has been falsely implicated in this case. The petitioner/A2 is a friend of the victim girl and she has not involved any abduction or attacked the victim girl and the petitioner/A2 has been falsely implicated without any basic material evidence and she was convicted and in prison for the past 9 months. Hence, the substantive sentence imposed against the petitioner/A2 may be suspended. He submitted that the petitioner/A2 is ready to abide any condition to be imposed by this Court.

4.Learned Government Advocate (Criminal side) raised his objection for suspending the sentence of conviction stating that on the date of occurrence, the petitioner/A2 has accompanied with A1 and abducted and attacked the victim girl and compelled her to marry A1. Therefore, it is made clear that *prima facie* case is made out against the petitioner/A2 herein.



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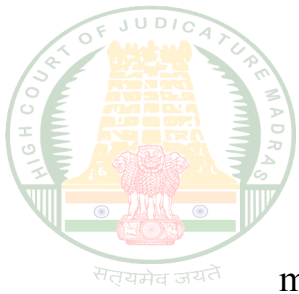
5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. Considering the submissions of the learned counsel for the petitioner and considering that the petitioner as well as the victim are friends and considering that as per the statement given by the victim girl before the learned Magistrate and considering the age of the petitioner who aged about 22 years and she has no other bad antecedents, 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 relief of suspension of sentence and bail are granted on the following conditions:

(i) On the petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(ii) 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;

(iii) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month 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



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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;

(iv) the petitioner/A2 is directed not to communicate the victim girl.

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

19.09.2025

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

MSM



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T.V.THAMILSELVI, J.

MSM

To

1.The Special Court for Exclusive Trial of Cases
under POCSO Act, 2012, Vellore.

2.The Inspector of Police,
Vellore South (L&O) Police Station
Vellore District.
Crime No. 172 of 2022.

3.The Public Prosecutor, High Court, Madras.

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