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CRL A No. 1489 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 17840 OF 2025 IN
CRL A No. 1489 of 2025**

1. Arun @ Arunkumar
S/o.Mani, No.223, Nettimedu Division,
Maatupetti Estate, Munnar, Kannan
Devan Hills, Idukki, Kerala State

Appellant(s)

Vs

1. State rep by the Inspector of Police
All Women Police Station East,
Coimbatore District Cr.No.70 of 2023

Respondent(s)

PRAYER

To suspend the Sentence of Imprisonment passed in the judgment dated 21.03.2025 passed in Special Sessions Case No.51/2024 by the principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore District, enlarge the petitioner/ Appellant on bail, pending disposal of the above Criminal Appeal.



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For Appellant(s): C.D.Sugumar
R.Dhilip
S.Sathrack
K.Vijay

For Respondent(s): Public Prosecutor

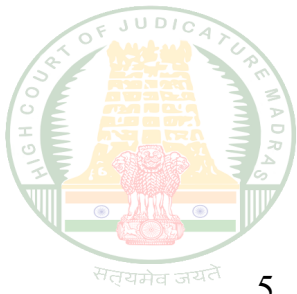
ORDER

This petition has been filed to suspend the Sentence of Imprisonment passed in the judgment dated 21.03.2025 passed in Special Sessions Case No.51/2024 by the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore District, enlarge the petitioner/ Appellant on bail.

2. The case of the prosecution is that the petitioner committed penetrative sexual assault against the victim child. Hence, the case.

3. The learned counsel for the petitioner submits that the victim family is the close relative due to previous enmity the petitioner was falsely implicated in this case. The petitioner is having valid defence to prove his case and he is in jail for the past three months. Hence, he prays to suspend the sentence imposed on the petitioner.

4. The learned Government Advocate (crl side) raised objection to suspend the sentence.



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5. Considering the fact the petitioner is in jail for the past 3 months and there is no bad antecedents against him, 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.

6. 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 petitioners/accused are 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(one surety must be from his Native state) each for a like sum to the satisfaction of the learned Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore District. Further, the petitioner is directed to deposit a sum of Rs.50,000/- to the credit of Special Sessions Case No.51/2024 on the file of the Principal Special Court for Exclusive Trial of Cases under POCSO Act, Coimbatore District for causing mental agony to the victim family



and the victim family is permitted to withdraw the same.

(b) The petitioners/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. Further, the petitioner shall not have any communication with the victim girl and her family.

(c) The petitioners shall appear before the Trial Court on the first and last working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. 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.

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

06-10-2025

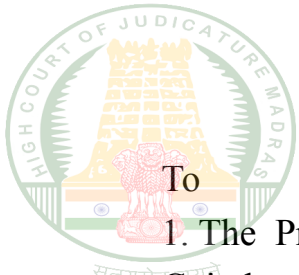
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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Principal Special Court for Exclusive Trial of Cases under POCSO Act,
Coimbatore District.

2. The Central Prison, Coimbatore.

3. The Public Prosecutor, High Court, Madras.

4. The Inspector of Police

All Women Police Station East, Coimbatore District.



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T.V.THAMILSELVI J.
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