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CRL MP No. 18172 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18172 of 2025

AND

CRL A NO. 732 OF 2025

1. Muthu

S/O.Sarangapani No.79/2nd Tent

Santhome Church Back Side Nochi

Nagr Chennai - 600 004. (Now

Detained As A Convict Prisoner Central

Prison-1 Puzhal, Chennai-66)

Petitioner(s)

Vs

1. The State Rep. by the Inspector of
Police,

W-22 All Women Police Station,

Mylapre, Chennai - 600 004.

(Crime.No.23 Of 2016)

Respondent(s)

PRAYER

To suspend the sentence imposed against the petitioner on 27.06.2022 in SC.No.122/2019, on the learned Sessions Court, Mahalir Neethimandram, Allikulam, Chennai and release the petitioner on bail till the disposal of the Criminal Appeal.



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For Petitioner(s): P.Pugalenth
G.Muralidharan

For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to suspend the sentence imposed against the petitioner on 27.06.2022 in SC.No.122/2019, on the learned Sessions Court, Mahalir Neethimandram, Allikulam, Chennai and release the petitioner on bail till the disposal of the Criminal Appeal.

2. The learned counsel for the petitioner submits that the petitioner is accused in SC.No.122/2019, on the learned Sessions Court, Mahalir Neethimandram, Allikulam, Chennai. He found guilty and convicted him under Section 342 IPC and sentenced to one year Rigorous Imprisonment and to pay a sum of Rs.1,000/- as fine, in default, one month Simple imprisonment, and further had convicted him under Section 376(2)(I) IPC sentenced to 7 years Rigorous Imprisonment and to pay a sum of Rs.5000/- in default to undergo 3 month Simple Imprisonment. Further, he submits that the petitioner is fasely



implicated in this case and he s in jail for the past 3 ½ years and he submits that

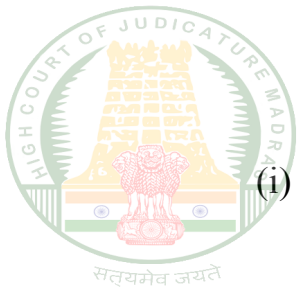
mother of the victim was turned hostile but the trial Court failed to appreciate

the said evidence and convicted him. Hence, he is having valid defence to

prove his case. He prays to suspend the sentence imposed on the petitioner.

3. The learned Government advocate submits that the victim was mentally retorted women she was sexually abused by the petitioner. Based on the complaint given by the mother of the victim case was registered and the victim was aged about 30 years at the time of the occurrence. According to her mother, victim is mentally disturbed. However, he raised objection to suspend the sentence.

4. Considering the facts of the case and also the fact that the petitioner is jail for the past 3 ½ years and there is no bad antecedents against the petitioner. Hence, this court is inclined to suspend the sentence imposed on the petitioner and bail are granted on the following conditions. Further the petitioner has caused mental agony to the victim family. Hence the petitioner is directed to deposit a sum of Rs.50,000/- to the credit of SC.No. 122/2019 on such deposit the victim is permitted to withdraw the said amount.



(i) The petitioner shall not have any communications with the victim girl.

(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 on every Tuesday at 10.00 a.m. 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;

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

8. On considering the fact that the victim is mentally retorted, who is take care by her mother but the Trial has not awarded any compensation while disposing the appeal. Hence, this Court award Rs.2,00,000/- as compensation to the victim, the Chairman, District Legal Services Authority, Chennai, is hereby directed to pass appropriate orders to the District Collector , Chennai, for disbursing the said compensation amount in the manner known to law based on



the available schemes within a period of 4 weeks from the date of receipt of copy of this order and the said amount shall be deposited in any of the

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Nationalised bank and victim mother is permitted to withdraw the interest till her life time. Post the matter on 19.11.2025 for reporting compliance.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Sessions Court, Mahalir Neethimandram, Allikulam, Chennai.
2. The Central Prison – 1, Puzhal, Chennai.
3. The Public prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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