



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 16498 of 2024

in

CrI.A.No.913 of 2023

1. Jayaram @ Manoj
S/O. Suresh, D.NO.7/78E, Mazhavan
Cherambadi , Kollappalli, Nilgiris
District. Now confined at Central
Prison, Coimbatore.

Petitioner(s)

Vs

1. The State Rep By Its,
The Inspector Of Police, All Women
Police Station, Devala, Nilgiris District
Cr.No.3 Of 2018.

Respondent(s)

PRAYER

To suspend the sentence imposed against the petitioner by the Learned Sessions Judge, Magalir Neethimandram, (FTMC), Udhagamandalam in Special Calendar Case No.23 of 2018 dated 13.10.2022 and release the petitioner on bail til the disposal of C.A.No.913 of 2023 on the file of this Honble Court.

For Petitioner(s): Mr.S.Arivazhagan



WEB COPY

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed against the petitioner by the Learned Sessions Judge, Magalir Neethimandram, (FTMC), Udthagamandalam in Special Calendar Case No.23 of 2018 dated 13.10.2022 and release the petitioner on bail till the disposal of C.A.No.913 of 2023.

2. The petitioner herein is the accused in Spl.C.C.No.23/2018 on the file of the Learned Sessions Judge, Magalir Neethimandram, (FTMC), Udthagamandalam, and convicted for the offence under Sections 5(1), 5(j)(ii) read with 6 of POCSO Act 2012, and sentenced to undergo 20 years rigorous imprisonment and imposed a fine of Rs.10,000/- in default to pay the fine the appellant shall undergo 6 months simple imprisonment. The learned trial Judge also convicted the appellant under Section 3(1)(w)(i) of the SC/ST (POA) Amendment Act 2015 and sentenced to under of 3 years of rigorous



imprisonment and imposed a fine of Rs.5,000/- in default to pay the fine amount to undergo 6 months SI, against which the present Criminal appeal has been filed.

3. The learned counsel for the petitioner submitted that he was falsely implicated in this case, as if he committed penetrative sexual assault to the victim girl. He further submitted that he is ready to abide with any conditions.

4. The learned prosecution raised strong objections stating that at the time of occurrence, the victim girl was aged about 13 years and the petitioner committed penetrative sexual assault, due to which she was conceived and later aborted, but DNA test also proved in favour of the petitioner. Therefore he raised strong objections to suspend the sentence.

5. It is brought to the notice of the Court, the victim girl is now under the care and custody of her parents, and also the victim compensation has been paid to the victim girl.



WEB COPY

6. Considering the facts and circumstances of the case, since the appellant has been in custody for nearly 560 days and is ready to comply with any conditions imposed, and as his family has suffered due to his prolonged incarceration, and the victim girl is presently under the safe custody of her parents, 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/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 shall be a blood related surety, each for a like sum to the satisfaction of the learned Sessions Judge, Magalir Neethimandram, (FTMC), Udthagamandalam.

(b) 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.



WEB COPY

(c) The petitioner shall report before the respondent police on every Sunday at 10.30 a.m, and also shall appear before the Trial Court on every Saturday 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.

(d) the petitioner shall not to have any communicate with the victim girl and her family members.

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

10-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rri



To
WEB COPY

1. The State Rep By Its,
The Inspector Of Police, All Women
Police Station, Devala, Nilgiris District
Cr.No.3 Of 2018.

2. The Sessions Judge, Magalir
Neethimandram, (FTMC),
Udhagamandalam.

3. The Superintendent,
Central Prison, Coimbatore.

4. The Public Prosecutor,
High Court of Madras.



WEB COPY

CRL MP No. 16498 of 2024



T.V.THAMILSELVI J.
rri

**CRL MP No. 16498 of
2024 in Crl.A.NO.16498
of 2024**

10-11-2025