



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.M.P.No.17809 of 2025

in Crl.A.No.645 of 2025

Mani @ Immanuvel

...Petitioner

Versus

State Rep. by its
The Inspector of Police,
W-21, All Women Police Station,
Guindy, Chennai.
(Crime No.892 of 2020 & 893 of 2020)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 430(1) & 483(1) of BNSS, 2023 praying to suspend the sentence imposed by the passed by on the file of the Court of Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act at Chennai in Spl.S.C.No.82 of 2021 dated 25.11.2024 enlarge him on bail and pending disposal of the



Crl.A.No.645 of 2025 on the file of this Court.

For Petitioner : Mr.S.Senthilvel

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

ORDER

This Criminal Miscellaneous Petition has been filed by the Petitioner seeking to suspend the sentence imposed on him by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai vide Judgment dated 25.11.2024 in Spl.S.C.No.82 of 2021 and enlarge him on bail pending disposal of the present Criminal Appeal.

2. The Petitioner is Accused No.1 in Spl.S.C.No.82 of 2021 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai. The Petitioner/Accused No.1 was found guilty of the offence



under Section 6 of POCSO Act, 2012 (2 counts). Therefore, the trial Court vide Judgment dated 25.11.2024 in Spl.S.C.No.82 of 2021, convicted the Petitioner/Accused No.1 and sentenced him to undergo 20 years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo 1 month simple imprisonment for each count. Aggrieved by the said conviction and sentence, Petitioner/Accused No.1 has preferred the present Criminal Appeal.

3. The learned counsel for Petitioner/Accused No.1 submitted that Petitioner/Accused No.1 has been under the judicial custody from 25.11.2024 onwards and he is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that the substantive sentence imposed on the Petitioner/Accused No.1 may be suspended.



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4. The learned Government Advocate (Crl.Side) appearing for respondent Police submitted that this is the case where two minor victim girls were subjected to gang penetrative sexual assault at the hands of Petitioner/Accused No.1 and Accused Nos.2 & 6 which was also proved beyond all reasonable doubt before the trial Court. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to Petitioner/Accused No.1.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel for Petitioner/Accused No.1 coupled with the quantum of punishment imposed



on the Petitioner/Accused No.1 and taking into consideration of the fact that the Criminal Appeal is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.

7. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) The Petitioner/Accused No.1 shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) to the credit of Spl.S.C.No.82 of 2021 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, within a period of two weeks from the date of receipt of this order, failing which, this order shall stand automatically cancelled.

(ii) On such deposit being made, the two victim girls viz., G.Jayalakshmi and S.Pavithra shall withdraw Rs.25,000/-



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(Rupees Twenty Five Thousand only) each from the total amount of Rs.50,000/- deposited by the Petitioner/Accused No.1 in Spl.S.C.No.82 of 2021 on the file of Special Court for Exclusive Trial of Cases under POCSO Act, Chennai, on proper identification, in the manner known to law.

(iii) If the Petitioner/Accused No.1 fails to deposit the aforesaid amount, it is open to the trial Court to commit the Petitioner/Accused No.1 into custody for undergoing the sentence.

(iv) The sentence of imprisonment imposed on the Petitioner/Accused No.1 shall be suspended and the Petitioner/Accused No.1 shall be released on bail on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the



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satisfaction of the learned Sessions Judge, Special Court for
Exclusive Trial of Cases under POCSO Act, Chennai;

(v) The Petitioner/Accused No.1 and the sureties shall
affix their photographs and Left Thumb Impressions in the
surety bonds and the trial Court may obtain a copy of their
Aadhaar Card or Bank Pass Book and their mobile numbers to
ensure their identity;

(vi) The Petitioner/Accused No.1 shall appear before the
respondent Police on every Saturday at 10.30 a.m. and also, he
shall appear before the trial Court on the first working day of
every English Calendar month at 10.30 a.m., till the disposal of
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 his absence, as



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directed by the trial Court.

(vii) The Petitioner/Accused No.1 shall not have any communication with the two victim girls and their family members.

8. In the present case, the trial Court vide Judgment dated 25.11.2024 in Spl.S.C.No.82 of 2021, awarded a sum of Rs.1,00,000/- each as compensation to the two victim girls. However, considering the physical and mental trauma caused to the victim girls due to the penetrative sexual assault committed by the Petitioner/Accused No.1 and Accused Nos.2 & 6, this Court is of the opinion that the victim girls are entitled to get further compensation of Rs.1,00,000/- from the Tamil Nadu State Government. Hence, the two victim girls viz., G.Jayalakshmi and S.Pavithra are awarded a sum of Rs.1,00,000/- (Rupees One Lakh only) each as compensation by this Court.



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9. As regards the disbursement of compensation to the victim girls, the District Legal Services Authority, Chennai shall refer the matter to District Collector, Chennai for taking appropriate action to disburse the compensation now awarded by this Court to the victim girls, within a period of twelve weeks from the date of receipt of a copy of this order.

10. With the above observations, this Criminal Miscellaneous Petition is allowed.

19.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

To

1. The Sessions Judge,

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Special Court for Exclusive Trial of Cases
under POCSO Act,
Chennai.

- 2.The Inspector of Police,
W-21, All Women Police Station,
Guindy, Chennai.
- 3.The District Legal Services Authority,
Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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