



WEB COPY

Crl.MP.No.17158 of 2025
in Crl.A.No.1264 of 2022



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.09.2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

**Crl.M.P. No. 17158 of 2025
in Crl.A.No.1264 of 2022**

S.Manikandan

S/o.Sakkarai, No.338, B Block

Annai Sathya Nagar

Chennai-600 009

Petitioner/Appellant

Vs

State Rep. by, the Inspector of Police,
W-12, All Women Police Station, Harbour
Range, Chennai-600001
Crime No.05/2020

Respondent/Respondent.

PRAYER:- The Criminal Miscellaneous Petition is filed under Section 389(1) of Cr.P.C., and 30(1) of B.N.S.S. to suspend the sentence of imprisonment imposed in the judgment dated 03.10.2022 made in Spl.S.C.No.54 of 2022 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under Pocso Act and enlarge the petitioner on interim bail pending disposal of the above Criminal Appeal.



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For Petitioner(s): Mr.R.Venkatesh

For Respondent(s): Mr.A.Damodaran
Additional Public Prosecutor

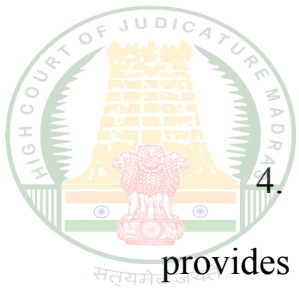
ORDER

(Order of the Court was made by J.NISHA BANU, J.)

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence of imprisonment imposed in the judgment dated 03.10.2022 made in Spl.S.C.No.54 of 2022 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of Cases under Pocso Act and enlarge the petitioner on interim bail pending disposal of the above Criminal Appeal.

2. The learned counsel for the petitioner submits that the petitioner's brother namely S.Manimaran has committed suicide today i.e., 12.09.2025 and the funeral ceremony is about to be held tomorrow i.e., 13.09.2025 and third day customary rites to be held on 14.09.2025 respectively and the petitioner has to perform the funeral ceremony to his brother and pay his last rites.

3. This miscellaneous petition on the face of it is not maintainable. The petitioner is a life convict. He has to approach the Prison Authorities under Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982.



4. Rule 6 of the Tamil Nadu Suspension of Sentence Rules, 1982, provides for grant of emergency leave by the Superintendent of Prison. In the light of the said Rule, the petitioner has to give a requisition/representation for grant of emergency leave to Superintendent of Prison either by himself or by his relatives. The petitioner however, without approaching the jail authorities, has directly filed this miscellaneous petition seeking interim bail which is not maintainable.

5. The petitioner shall give a representation immediately to the prison authorities for grant of emergency leave. The Prison Authority shall consider such representation forthwith so as to allow him to attend the funeral ceremony of his brother.

6. This petition is disposed of with the above direction.

(J.NISHA BANU J.) (S.SOUNTHAR J.)

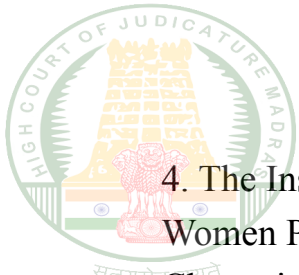
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To

1. The Sessions Judge, Special Court for
Exclusive Trial of Cases under Pocso Act

2. The Superintendent of Prison, Puzhal
Prison.



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4. The Inspector of Police, W-12, All
Women Police Station, Harbour Range,
Chennai-600001
Crime No.05/2020

5. The Public Prosecutor,
High Court of Madras, Chennai.



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