



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20790 of 2025 in CrI.A.No.499 of 2025

1. NITHYANANDHAM

S/o.Rajendiran, No.51,
Muthumariamman Colony 1st Street,
Aminjikarai, Chennai-29.

Petitioner(s)

Vs

1. The State Rep By, The Inspector of
Police
W-7, All Women Police Station, Anna
Nagar, Chennai. Crime No.03 of 2020.

Respondent(s)

PRAYER: To suspend the sentence of imprisonment imposed in the judgment dated 21.04.2025 made in Spl.S.C.No.106 of 2020 on the file of the Special Court for Exclusive Trial of Cases under Pocso act, Chennai and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner(s): U.Nirupen Chakravarthy
U. Priyadarshini-ms/430/2017
A.Nirmal Raj
V.Deebika
M.Sakthiguru

For Respondent(s): Mr.V. Meganathan, Govt
Advocate

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence of imprisonment imposed in the judgment dated 21.04.2025 made in Spl.S.C.No.106 of 2020 on the file of the Special Court for Exclusive Trial of Cases under Pocso act, Chennai and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein is the accused in Spl.S.C.No.106 of 2020 on the file of the Special Court for Exclusive Trial of Cases under Pocso act, Chennai. He was convicted under section 12 of POCSO Act and u/section 8 r/w18 of POCSO Act and Section 307 of I.P.C. He was sentenced to imprisonment for one year with a fine of Rs.5,000/- in default, to undergo simple imprisonment for one month under section 12 of POCSO Act. He was sentenced to imprisonment for 2.5 years with a fine of Rs.5,000/- in default, to undergo simple imprisonment for one month under section 8 r/w 18 of POCSO Act. He was sentenced to imprisonment for 10 years with a fine of Rs.10,000/- in default to undergo simple imprisonment for 3 months under Section 307 of I.P.C. Challenging the same the petitioner has filed the present appeal.



3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, 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 must be a



blood related surety, each for a like sum to the satisfaction of the learned Special Court for Exclusive Trial of Cases under Pocso act, Chennai.

(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.

(c) The petitioner shall appear before the Trial Court on every Tuesday and Sunday 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 communication with the victim family.

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

6. Considering the fact of the case and the mental agony suffered by the victim family, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority,



Chennai District is directed to refer the matter to the District Collector under the said Scheme.

7. The District Collector is directed to verify whether the compensation was paid to the victim girl which was awarded by the Court below, if not paid the compensation should be paid within a period of two weeks from the date of receipt of a copy of this order.

07-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To.

1. The Inspector of Police,
1-7, All Women Police Station, Anna Nagar, Chennai
2. The Special Court for Exclusive Trial of Cases under Pocso act, Chennai
3. The Superintendent, Central Prison, Puzhal.
4. The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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