



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18579 of 2025 IN CRL A NO. 1535 OF 2025

Mohamed Sulthan Ibrahim
S/o. Abdul Hameed, No.8A, Ward -14,
3rd Cross, Nandhagopalasamy Kovil
Street, Uthamapalaiyam Taluk,
Cumbum, Theni District. Now
Confining in Central prison at Kalapet,
Puducherry.

Petitioner(s)

Vs

The State Represented by its, The
Inspector of Police
Town Police Station, Karaikal (Crime
No. 157/2023)

Respondent(s)

PRAYER: To suspend the sentence imposed by the Learned Special Judge, under POCSO Act,2012 at karaikal in SPL. S.C.No.01/2025 dated 14.03.2025 and enlarge the petitioner on bail pending disposal of the said Criminal Appeal No.1535 of 2025 on the file of the of this Honble Court.

For Petitioner(s): M.Mohamed Saifulla
K.Sakthivel
Selvakumar Subramaniam
M.Ganesh Kumar

For Respondent(s): Mr.M.V. Ramachandramoorthy
Additional Public Prosecutor

**ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed by the Learned Special Judge, under POCSO Act, 2012 at Karaikal in Spl. S.C.No.01 of 2025 dated 14.03.2025 and enlarge the petitioner on bail pending disposal of the said Criminal Appeal No.1535 of 2025.

2. The petitioner herein is the accused in Spl. S.C.No.01 of 2025 on the file of the Learned Special Judge, under POCSO Act, 2012 at Karaikal. He was found guilty of the offence under Sections 10 of POCSO Act, 2012(2 counts) and accordingly the accused is convicted u/s 258 (2) of BNS and sentenced to undergo Rigorous imprisonment for 5 years for each count for the offence punishable u/s 10 of POCSO Act (2 counts) and to pay a fine of Rs.10,000/- per count in default simple imprisonment for 4 weeks for each count for the offence punishable u/s 10 of POCSO Act (2 counts) shall run consecutively (that of 10 years together). Challenging the same, the present appeal has been filed.



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 further submitted that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. 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:



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(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(out of which one must be a blood related surety) each for a like sum to the satisfaction of the Learned Special Judge, under POCSO Act,2012 at Karaikal.

(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 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 communication with the victim family.



6. Considering the facts of the case, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority, Karaikal is directed to refer the matter to the District Collector under the said Scheme.

7. The District Collector is directed to provide compensation of Rs.1,00,000/- to victim girl, within a period of twelve weeks from the date of receipt of a copy of this order.

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

29-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



CRL MP No. 18579 of 2025



To

1. The Inspector of Police
Town Police Station, Karaikal.
2. The Learned Special Judge, under
POCSO Act, 2012 at Karaikal
3. The Public Prosecutor, High Court Madras



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T.V.THAMILSELVI, J.

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