



Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM :

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

**Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024**

Azhaguvel

...Petitioner

Vs.

State Represented by
The Inspector of Police,
Sirupakkam Police Station,
Cuddalore District.
(Cr.No.220/2020)

..Respondent

Prayer : This Criminal Miscellaneous Petition has been filed seeking suspension of sentence and grant of bail to the petitioner/appellant for the conviction and sentence imposed in Spl.S.C.No.78 of 2020 dated 29.07.2022 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore, pending disposal of the above Criminal Appeal.

For Petitioner : Mr.T.Muruganandam for
Mr.V.Regunathan

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



Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

WEB COPY

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed upon him by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore, vide judgement dated 29.07.2022 in Spl.S.C.No.78 of 2020 and enlarge the petitioner herein on bail pending disposal of this Criminal Appeal.

2 The petitioner herein is a convict in S.C.No.78 of 2020 on the file of the Special Court for Exclusive trial of POCSO Cases, Cuddalore. He was found guilty of the offence under Section 5(m) punishable under Section 6 of the POCSO Act and he was sentenced to undergo rigorous imprisonment for a period of 20 years with fine of Rs.2,000/-, in default, to undergo simple imprisonment for a further period of three months and ordered compensation of Rs.5,00,000/- to the victim child.

3 The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal appeal and the



Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

WEB COPY

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. Further the petitioner/accused is a married man and having two children, who are also suffering due to the incarceration of the petitioner. He would submit that the petitioner is ready to abide any the condition to be imposed by this Court.

4 The learned Government Advocate (Crl.Side) for the respondent police strongly objected for grant of bail to the petitioner stating that the petitioner sexually abused the victim child, who is only 7 years old at the time of occurrence. Prosecution proved its case beyond reasonable doubts and this miscellaneous petition is liable to be dismissed.

5 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 up for final hearing in the near future and also the fact that compensation of Rs.5.00 lakhs has also been paid to the victim, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions.



Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

WEB COPY

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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.

(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.

(d) The petitioner shall appear before the Trial Court on every Saturday at 10.30 a.m., until disposal of this 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 directed by the trial Court.

(e) the petitioner shall not to have any communication with the victim family.



Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

WEB COPY

6

With the above directions, this Criminal Miscellaneous

Petition is ordered.

7

Post the Criminal Appeal in the usual course.

14.10.2025

cgi

Note: IT on 17.10.2025

To

1. The Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Cuddalore.
2. The Inspector of Police, Sirupakkam Police Station, Cuddalore District.
3. The Public Prosecutor, Madras High Court.



WEB COPY



Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

T.V.THAMILSELVI, J.

cgi

Crl.M.P.No.18361 of 2025 in
Crl.A.No.187 of 2024

14.10.2025