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CRL MP No. 19903 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 19903 of 2025

IN

CRL A NO. 1634 OF 2025

E.Senthil @ Senthilkumar
S/o. Eshwar Devar, D.No.139,
Vayakkal Thottam, Sengodampalayam,
Now At Shanmugapuram,
Sengodapalayam, O.Rajapalayam Post
office, Tiruchengode Taluk, Namakkal
District.

Petitioner(s)

Vs

State Rep by, The Inspector of Police
Tiruchengode All Women police
Station, Namakkal, Crime no. 01/2023

Respondent(s)

Prayer: To suspend the sentence and conviction passed by the Honble Court of Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal in Spl.S.C.No. 19/2023 dt. 28.03.2025 and enlarge the petitioner/appellant on bail till the disposal of the appeal.

For Petitioner(s): S.Raghuman
 B.Aravinthan
 M.Yuga Nandhini



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For Respondent(s): MR.V. Meganathan, Government
Advocate

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence and conviction passed by the Court of Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal in Spl.S.C.No. 19/2023 dt. 28.03.2025 and enlarge the petitioner/appellant on bail till the disposal of the appeal.

2. The petitioner herein is the accused in Spl.S.C.No. 19 of 2023 on the file of the learned Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal. He was found guilty of the offence under Sections 366 of I.P.C and under Section 9(m) r/w 10 of POCSO Act,2012. He is convicted and sentenced for the offence u/s 366 of IPC to undergo rigorous imprisonment for 6 years, with a fine of Rs.1,000/- in default, to undergo simple imprisonment for three months and he is convicted and sentenced for the offence u/s 9 (m) r/w 10 of POCSO Act, 2012 to undergo rigorous imprisonment of six years and to pay



a fine of Rs.1,000/- in default to undergo simple imprisonment of three months.

The period of imprisonment imposed upon the accused under both sections are ordered to be run concurrently. The period of imprisonment already undergone by the accused in this case is ordered to be set off under section 428 of Cr.P.C. Total fine amount is Rs.2,000/-. 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 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 is directed to deposit a sum of Rs.50,000/- (Rupees Twenty fifty thousand only), to the credit of Spl.S.C.No. 19 of 2023 on the file of the learned Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal, without prejudice his defence, within a period of two weeks from the date of receipt of a copy of this order.

(b) 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 each for a like sum to the satisfaction of the learned Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal

(c) 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



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every Monday 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.

(e) the defacto complainant is permitted to withdraw the amount deposited by the petitioner in Spl.S.C.No. 19 of 2023 on the file of the learned Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal, on proper identification, in the manner known to law.

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

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

28-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Inspector of Police
Tiruchengode All Women police
Station, Namakkal,
Tiruchengode

2. The Session Judge, Magalir Neethi Mandram (Fast Track Mahila Court),
Namakkal. 3. The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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**28-10-2025
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