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CRL A No. 1501 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 18105 OF 2025

IN

CRL A No. 1501 of 2025

1. Sathish

S/o. Sakkarai, No.225, Vadavanda
Street, Arungunam Village, Mallavadi
Post, vandavasi Taluk, Tiruvannamalai
District.

Appellant(s)

Vs

1. State Rep by, The Inspector of Police
Vandavasi All Women Police Station,
Tiruvannamalai District. (Crime No.
2/2018)

Respondent(s)

CRL MP No. 18105 of 2025

PRAYER

To suspend the execution of Sentence imposed on the petitioner/ Appellant by the order of the learned Special Court for the Exclusive Trail of POCSO Act Cases, Tiruvannamalai in Special SC.No.142/2019 dated 10.09.2025 pending disposal of the above appeal.

CRL A No. 1501 of 2025

For Appellant(s): E.Sathiyaraj
M.Dhanalakshmi
S.Elvin Niha

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



WEB COPY

CRL A No. 1501 of 2025



Government Advocate (Crl.
Side)

ORDER

This petition has been filed to suspend the execution of Sentence imposed on the petitioner/ Appellant by the order of the learned Special Court for the Exclusive Trail of POCSO Act Cases, Tiruvannamalai in Special SC.No.142/2019 dated 10.09.2025 pending disposal of the above appeal.

2. The petitioner herein is the accused in Special S.C.No. 142 of 2019 on the file of the learned Special Court for the Exclusive Trail of POCSO Act Cases, Tiruvannamalai. He was found guilty of the offences under Section 341, 366 IPC and Section 5(l), 5(j)(ii) r/w 6 of POCSO Act and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 341 IPC Section 366 IPC	to undergo rigorous imprisonment for a period of one month to undergo rigorous imprisonment for a period of 7 years and to pay fine of Rs.5,000/-, in default to undergo simple imprisonment for six months.
2	Section 5(l), 5(j)(ii) r/w 6 of POCSO Act	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.10,000/-, in default to undergo simple imprisonment for one year.

Aggrieved by the same, the petitioner has filed this appeal along with the



present miscellaneous petition.

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3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. 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 and the learned Government Advocate (Crl. Side) appearing for the respondent police, 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.

7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate 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 Special Court for the Exclusive Trail of POCSO Act Cases, Tiruvannamalai. The petitioner has caused mental agony to the victim's family, hence, the petitioner shall deposit a sum of Rs. 50,000/- within a period of two weeks from the date of his release and victim's mother is permitted to withdraw the same.

(b) The petitioners/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 petitioners shall appear before the Trial Court on every Tuesday at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on



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any day, they shall make arrangements to file an application under Section 317 Cr.P.C. 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. Further, the District Legal Service Authority, Thiruvannamalai, is directed to verify whether the compensation was paid to the victim, if not, directed to take steps to get the compensation from the Government.

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

25-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The District Legal Service Authority, Thiruvannamalai.
2. The Special Court for the Exclusive Trail of POCSO Act Cases, Tiruvannamalai.
3. The Central Prison, Vellore.
4. The Inspector of Police,
Vandavasi All Women Police Station,
Tiruvannamalai District.
5. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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