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CRL MP No. 20687 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 20687 OF 2025

IN

CRL A No. 1699 of 2025

1. RAJENDIREN

S/o.Balasubramani, Residing at
No.2/27, Maliyan Talu, Chinnakandali
Post Office, Kandali Village , Tirupattur
Taluk

Appellant(s)

Vs

1. State rep by the Inspector of Police
Alanagayam Police Station,
Thirupathur Cr.No.76/2019

Respondent(s)

CRL MP No. 20687 of 2025

PRAYER

To suspend the sentence by the judgement and order dated 29.07.2025 by the learned District and Sessions Judge, Thirupathur in Spl.SC.No.46 of 2024 enlarge the petitioner on bail till the disposal fo the CrI.A.No.1699 of 2025 pending on the file of this Hon'ble Court.

CRL A No. 1699 of 2025

For Appellant(s): B.Mughundhan
for M/s.K.S.Shankar Chakrapani

Saravana Rajan S
M.Bharathidasan

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



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Government Advocate (Crl side)

ORDER

This petition has been filed to suspend the sentence by the judgement and order dated 29.07.2025 by the learned District and Sessions Judge, Thirupathur in Spl.SC.No.46 of 2024 enlarge the petitioner on bail till the disposal of the Crl.A.No.1699 of 2025 pending on the file of this Court.

2. The petitioner herein was convicted by the District and Sessions Judge, Thirupathur in Spl.SC.No.46 of 2024 for the offence punishable under Section 5(1) r/w Section 6 of POCSO Act, 2012 and sentenced him to undergo 20 years Rigorous Imprisonment with a fine of Rs.10,000/-, in default, to undergo one year Simple Imprisonment and for the offence under Section 366 IPC sentenced him to undergo 2 years Simple Imprisonment. Aggrieved over the same, the petitioner filed the appeal along with this miscellaneous petition.

3. The learned counsel for the petitioner submits that the petitioner had love affair with victim girl, based on the false complaint given by the victim's parents the petitioner has been falsely implicated in this case. Further, 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 petitioners/accused may be suspended.



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:



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(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 District and Sessions Judge, Thirupathur.

(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 the first working day of every English Calendar month 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 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.

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

12-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The District and Sessions Judge, Thirupathur.

2. The Inspector of Police

Alanagayam Police Station,
Thirupathur.

3. The Central Prison, Vellore.

4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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