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CRL MP No. 18988 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18988 of 2025

AND

CRL A NO. 319 OF 2024

SINGARAVELAN

S/o.Chinna Thambi, No.3/32,
Mathiyampatti Village, Mampatti Post,
Harur Taluk Dharmapuri District.

Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
The inspector of POLice, AWPS Harur,
Dharmapuri District Crime No 4 of
2022

Respondent(s)

CRL MP No. 18988 of 2025

PRAYER

To suspend the sentence imposed against the petitioner in Spl.S.C.No.180/2023 on the file of the Learned Special Court to deal with cases relative to POCSO Act, Dharmapuri, Dharmapuri District dated 27.12.2023 and enlarge me on bail pending disposal of the said Crl.A.No.319/2024 on the file of this Court.



CRL A No. 319 of 2024

PRAYER

To call for the records in connection with the Spl .S.C.No 180 of 2023 on the file of the Court of the Special Court to deal with cases relative to POCSO Act Dharmapuri District and set aside the Judgement dated 27.12.2023

For Petitioner(s): Mr. E.Kannadasan

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Special Court to deal with cases relating to POCSO Act, Dharmapuri, in Spl.S.C.No.180 of 2023 dated 27.12.2023 and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in Spl.S.C.No.180 of 2023 on the file of the learned Sessions Judge, Special Court to deal with cases relating to POCSO Act, Dharmapuri. He was found guilty of the offences under Section 5(l) r/w 6 of POCSO Act and 506(ii) of I.P.C. He has been convicted and sentenced to undergo Rigorous Imprisonment for 20 years and to pay a fine of Rs.25000/- in default of payment of fine, to undergo simple imprisonment for 6 months and also sentenced to undergo Rigorous Imprisonment for the period of three years and to pay a fine of Rs.5000/-, in default, to undergo simple



imprisonment for the period of three months. Aggrieved by the same, the petitioner had filed this appeal along with the present miscellaneous petition.

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3. The learned counsel for the petitioner/accused would submit that he is a neighbour of victim family and both the victim girl and petitioner are residing in the same village. He would submit that he has been falsely implicated in this case as if he had committed sexual assault to the victim girl, but in fact he has not committed any offence as alleged against him. He would submit that he is in custody from the date of judgment i.e. on 27.12.2023 for more than one year and 10 months. He would also 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 and this is the third petition seeking for bail.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition and contended that the petitioner is a married man, who is aged about 30 years and both the victim girl and the petitioner were living in the same village. Further, he would contend that he has no bad antecedents and 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.

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

6. On seeing the facts, it reveals that both the victim and the petitioner were belong to same village, the petitioner had sexually abused the victim girl. Hence, the complaint was lodged by her mother. However, he is a married man and having family, due to his incarceration, his family is starving for their livelihood and he is in custody from the date of judgment i.e. on 27.12.2023 for more than one year and ten months and he has no bad antecedents. The victim girl had also received the victim compensation and now she is under the custody of her parents. Considering that and 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.

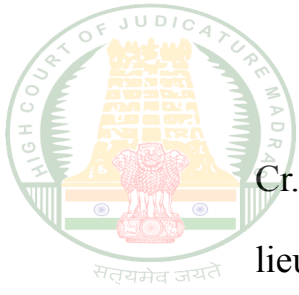


7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(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, **in which one surety must be a blood surety**, for a like sum to the satisfaction of the **learned Sessions Judge, Special Court to deal with cases relating to POCSO Act, Dharmapuri.**

(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 respondent police at 10.30 a.m. on every Saturday for the period of three months and he shall also 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 he shall not have any communication with the victim girl and her family 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 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.

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

15-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Sessions Judge, Special Court to deal with cases relating to POCSO Act, Dharmapuri.
2. The Inspector of Police, AWPS, Hosur, Dharmapuri Dt.
3. The Superintendent of Prison, Central Prison, Salem.
4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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