



CRL MP No. 20441 of
2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20441 of 2025

IN

CRL A NO. 1679 OF 2025

MUGESH

S/o.Micheal Alias Krishnan, residing at
D.No.1/221, K.K.nagar, O.V.H Road,
Melgudalur, now confined in the
Central Prison, Coimbatore

Petitioner(s)

Vs

State by the Inspector of Police
AWPS-Gudalur, The Nilgiris District
Cr.No.4 of 2023

Respondent(s)

For Petitioner(s): P.Pugalenth
G.Muralidharan

For Respondent:

ORDER

The petitioner has filed this petition to suspend the sentence imposed



against the petitioner on 24.09.2024 in Spl.S.C.No.14 of 2023, on the file of the Sessions Court for Magalir Neethimandram (FTMC), Udhagamandalam, The Nilgiris, and release the petitioner on bail till the disposal of the Criminal Appeal.

2. The petitioner herein is the accused in Spl.S.C.No.14 of 2023 on the file of the learned Sessions Court for Magalir Neethimandram (FTMC), Udhagamandalam. He found guilty under Section 235(ii) Cr.P.C for the commission of offence under Sections 5(1) r/w 6 of Protection of Children from Sexual Offences Act, and convicted the petitioner to undergo 20 years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default to undergo 3 months simple imprisonment, under Section 11(iv) r/w 12 of POCSO Act 2012 and sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.2,000/-, in default to undergo another period of 1 month simple imprisonment, against which the present appeal has been filed.



3. The learned counsel for the petitioner submitted that he was falsely implicated in this case, as if he had sexually abused the victim girl. He further submitted that no such occurrence took place. As of now, the victim girl is under the care and custody of her parents. The family of the petitioner has suffered due to his detention. Therefore, the petitioner prayed for suspension of the sentence on such conditions as deemed fit 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/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 shall be a blood related surety, each for a like sum to the satisfaction of the Sessions Court for Magalir Neethimandram (FTMC), Udthagamandalam, the Nilgiris.

(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 report before the respondent police on every Sunday at 10.30 a.m, and also shall appear before the Trial Court on every Saturday 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.

(d) the petitioner shall not to have any communication with the victim girl and her family members.



CRL MP No. 20441 of
2025



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

18-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
WEB COPY

1.State by the Inspector of Police
AWPS-Gudalur, The Nilgiris District
Cr.No.4 of 2023.

2.The Sessions Court for Magalir
Neethimandram (FTMC),
Udhagamandalam, The Nilgiris.

3.The Superintendent,
Central Prison, Coimbatore.

4.The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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