



Crl.M.P.No.19031 of 2025 in
Crl.A.No.1574 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 14.10.2025

CORAM :

THE HONOURABLE MRS. JUSTICE T.V.THAMILSELVI

**Crl.M.P.No.19031 of 2025 in
Crl.A.No.1574 of 2025**

M.Prabhu

...Petitioner

Vs.

State Represented by
The Inspector of Police,
Mangalapuram Police Station,
Namakkal District.
(FIR No.12 of 2019)

..Respondent

Prayer : This Criminal Miscellaneous Petition has been filed seeking suspension of sentence and grant of bail to the petitioner/appellant for the conviction and sentence imposed by the learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court), Namakkal, in Spl.C.C.No.06 of 2019, dated 23.09.2025.

For Petitioner : Mr.Naveen Kumar Murthy for
Mr.C.Palanisamy

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

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed upon him by the learned Sessions Judge, Magair Neethimandram (Fast Track Mahila Court), Namakkal, in Spl.C.C.No.06 of 2019, dated 23.09.2025 and enlarge the petitioner herein on bail pending disposal of this Criminal Appeal.

2 The petitioner herein is a convict in S.C.No.06 of 2019 on the file of the Magair Neethimandram (Fast Track Mahila Court), Namakkal. He was found guilty of the offence under Section 366 of IPC and Section 7 r/w 8 of the POCSO Act and he was sentenced to undergo rigorous imprisonment for a period of 3 years with fine of Rs.2,500/-, in default, to undergo simple imprisonment for a further period of three months for the offence under Section 366 of IPC and to undergo rigorous imprisonment for a period of three years with fine of Rs.2,500/-, in default, to undergo simple imprisonment for a further period of three months for the offence under Section 7 punishable under Section 6 of the POCSO Act and ordered the sentence to run concurrently. Further awarded Rs.50,000/- as final compensation to the victim.



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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 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. Further the petitioner/accused was falsely implicated in this case and the prosecution has not proved its case beyond all reasonable doubts. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.

4 The learned Government Advocate (Crl.Side) for the respondent police strongly objected for grant of bail to the petitioner stating that the petitioner, who is an employee of Tamil Nadu Electricity Board and married man, sexually abused the victim girl, who is 17 years old at the time of occurrence. Prosecution proved its case beyond reasonable doubts and this miscellaneous petition is liable to be dismissed.

5 Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also



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by considering the submissions of the learned counsel for the petitioner, further this Criminal appeal is not likely to be taken up 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 must be a blood related surety, each for a like sum to the satisfaction of the learned Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Namakkal.

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the learned Judge 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 every Saturday at 10.30 a.m., until disposal of this 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



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Court on any other day in lieu of his absence, as directed by the trial Court.

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

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

7 Post the Criminal Appeal in the usual course.

14.10.2025

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Note: IT on 15.10.2025

To

1. The Sessions Judge, Magair Neethimandram (Fast Track Mahila Court), Namakkal.
2. The Inspector of Police, Mangalapuram Police Station, Namakkal District.
3. The Public Prosecutor, Madras High Court.



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T.V.THAMILSELVI, J.

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