



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21084 of 2025 in CrI.A.No.271 of 2025

Vinoth

S/o Vellaikannu

Petitioner(s)

Vs

State, Inspector of Police,
Pudupalayam Police Station
Tiruvannamalai District
(Crime No.2514 of 2020)

Respondent(s)

PRAYER

To suspend the sentence in conviction Judgment dated 05.02.2025 passed in Spl.S.C.No.46 of 2022 on the file of the Special Court (POCSO Act cases) Session Judge, Tiruvannamalai District) and enlarge the petitioner on bail pending disposal of the aforesaid appeal and pass orders.

For Petitioner(s): S. Silambuselman

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

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence passed in Spl.S.C.No.46 of 2022 on the file of the Special Court (POCSO Act cases) Session Judge, Tiruvannamalai District) and enlarge the petitioner on bail pending disposal of the aforesaid appeal and pass orders

2. The petitioner herein is the accused in Spl.S.C.No.46 of 2022 on the file of the Special Court (POCSO Act cases) Session Judge, Tiruvannamalai District. He was found guilty of the offence under Sections 366, 376(2) (n) of IPC r/w Section 5(1) and 6 of POCSO Act, 2012. He was sentenced to undergo five years rigorous imprisonment and to pay a fine of Rs.1,000/- in default of payment of fine to undergo further six months simple imprisonment and further sentencing him under section 376(2) (n) of Ipc r/w section 5(1) and 6 of POCSO Act, 2012 to undergo twenty years Rigorous imprisonment and to pay a fine of Rs.1,000/- in default of payment of fine to undergo further two years simple imprisonment, against which, the present appeal has been filed.



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. He would submit that the petitioner is ready to abide the condition imposed 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



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surety must be a blood related surety, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court (POCSO Act cases) Session Judge, Tiruvannamalai District)

(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 every Tuesday 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.

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

11-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To.

1. The learned Special Court (POCSO Act cases) Session Judge,
Tiruvannamalai District)
2. The Superintendent, Central Prison, Vellore
3. The Inspector of Police,
Pudupalayam Police Station
Tiruvannamalai District
4. . The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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