



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20127 of 2025

IN

CRL A NO. 1662 OF 2025

Sarath @ Manokar

S/o.Kannan Pillaiyar Koil Street,
Melpadhri Village and Post, Vandavasi,
Tiruvannamalai District

Petitioner(s)

Vs

State rep by, the Inspector of Police,
All Women Police station, Vandavasi
Tiruvannamalai District Cr.No.6 of
2018

Respondent(s)

For Respondent(s): Mr.V. Meganatha, Government
Advocate

PRAYER:

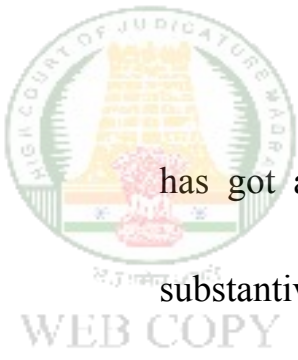
To suspend the sentence passed in Spl.SC No.202/2019 passed by the Judgment dated 05.01.2024 passed by the Learned Sessions Judge, Special Court (POCSO Cases), Tiruvannamalai District by enlarging him on bail and thus render justice.

**ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence passed in Spl.SC No.202/2019 passed by the Judgment dated 05.01.2024 passed by the Learned Sessions Judge, Special Court (POCSO Cases), Tiruvannamalai District by enlarging him on bail and thus render justice.

2. The petitioner herein is the accused in Spl.SC No.202/2019 on the file of the Learned Sessions Judge, Special Court (POCSO Cases), Tiruvannamalai District. He was found guilty of the offence under Sections 366 of I.P.C and sentenced to undergo 10 years Rigorous imprisonment and imposed fine of Rs.1,000/- in default to undergo one year simple imprisonment and further convicted u/2 376 (AB) and u/s 5(m) r/w 6 of POCSO Act, 2012 and sentenced to undergo 20 years rigorous imprisonment and also imposed a fine of Rs.1,000/- in default to undergo 2 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 has to take care of his parents and he is ready to abide the condition imposed by this Court.

4. The learned Government Advocate would submit that the victim girl is secured and she is under the care and custody of the parents. However, considering the nature of offence he prays to dismiss this petition.

5. 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 must be a blood related surety, each for a like sum to the satisfaction of the Learned Sessions Judge, Special Court (POCSO Cases), 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 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 family.



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

06.11.2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

smn



To
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1. The State Rep. by its
The Inspector of Police,
All Women Police Station,
Vandavasi
2. Learned Sessions Judge, Special
Court (POCSO Cases), Tiruvannamalai
District
3. The Superintendent, Central Prison,
Vellore
4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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