



Crl.M.P.No.19780 of 2025

Crl.M.P.No.19780 of 2025  
in  
Crl.A.No.1627 of 2025

**T.V.THAMILSELVI, J.**

This matter was taken up for hearing under the caption “For Being Mentioned” today at the instance of the learned counsel for the petitioner.

2. The learned counsel for petitioner would submit that this Court by an order dated 19.11.2025 granted suspension of sentence. However, he would submit that in the cause title as well as in the docket sheet of the order, instead of mentioning the case number as Crl.A.No. 1627 of 2025, it was mentioned as Crl.R.C.No.1627 of 2025 Hence, he prayed to amend the same and requested to issue fresh certified order copy.

3. Considering his submissions, Registry is directed to substitute the case number in the cause title as well as in the docket sheet viz., Crl.R.C.No.1627 of 2025 as “**Crl.A.No. 1627 of 2025**”.

4. Registry is directed to incorporate above correction in the order of this Court in Crl.M.P.No.19780 of 2025 dated 19.11.2025 and issue fresh order copy.

**09.04.2026**

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**T.V.THAMILSELVI, J.**

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**09.04.2026**



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Crl.M.P.No.19780 of 2025

**IN THE HIGH COURT OF JUDICATURE AT MADRAS**

**Dated : 19.11.2025**

**Coram:**

**The Honourable Mrs.Justice T.V.THAMILSELVI**

**Crl.M.P.No.19780 of 2025  
in Crl.R.C.No.1627 of 2025**

Kalaiyaran

...Petitioner

Versus

State By:  
The Inspector of Police,  
All Women Police Station,  
Pollachi,  
Coimbatore District.  
(Crime No.6 of 2023)

...Respondent

**Prayer:**

This Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023 praying to suspend the sentence imposed against the petitioner on 30.06.2025 in Spl.S.C.No.91 of 2023 on the file of Sessions Court, Principal Special Court for POCSO Act, Coimbatore and release the petitioner on bail till the disposal of the Criminal Appeal.

For Petitioner : Mr.P.Pugalenth

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

**ORDER**



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This Criminal Miscellaneous Petition has been filed by the

petitioner seeking to suspend the sentence imposed on him by the learned Sessions Judge, Principal Special Court for POCSO Act, Coimbatore vide Judgment dated 30.06.2025 in Spl.S.C.No.91 of 2023 and enlarge him on bail pending disposal of the Criminal Appeal.

2. The petitioner is an accused in Spl.S.C.No.91 of 2023 on the file of Principal Special Court for POCSO Act, Coimbatore. The petitioner/accused was found guilty of the offence under Sections 5(1), 5(n) r/w. 6 of POCSO Act, 2012 and Sections 449, 376(3) & 506(i) of IPC. Therefore, the trial Court vide Judgment dated 30.06.2025 in Spl.S.C.No.91 of 2023, convicted the petitioner/accused and sentenced him as follows:

| S.No. | Offence                                             | Punishment                                                                                                                     |
|-------|-----------------------------------------------------|--------------------------------------------------------------------------------------------------------------------------------|
| 1     | Under Sections 5(1), 5(n) r/w. 6 of POCSO Act, 2012 | To undergo 20 years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo 1 year simple imprisonment. |
| 2     | Under Section 11(iv) r/w. 12 of POCSO Act, 2012     | To undergo 3 years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo 1 month simple imprisonment.  |
| 3     | Under Section 449 of IPC                            | To undergo 5 years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.  |
| 4     | Under Section 506(i) of IPC                         | To undergo 1 year rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple                 |

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imprisonment.

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3. The learned counsel for petitioner/accused submitted that petitioner/accused has been under the judicial custody for more than 4 months and he is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that the substantive sentence imposed on the petitioner/accused may be suspended.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that petitioner/accused has committed a sexual assault on the victim girl fully knowingly that victim girl was a minor which was also proved beyond all reasonable doubts before the trial Court. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to petitioner/accused.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel for



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petitioner/accused coupled with the quantum of punishment imposed on

the petitioner/accused and taking into consideration of the fact that the

Criminal Appeal is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.

7. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) The sentence of imprisonment imposed on the petitioner/accused shall be suspended and the petitioner/accused shall be released on bail on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the satisfaction of the trial Court;

(ii) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the trial Court may obtain a copy of their Aadhaar Card or Bank Pass Book and their mobile numbers to ensure their identity;

(iii) The petitioner/accused shall appear before the respondent Police on every Saturday at 10.30 a.m. and also,



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he shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., till the disposal of 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 his absence, as directed by the trial Court.

(iv) The petitioner/accused shall not have any communication with the victim girl and her family members.

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

19.11.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

**Note: Registry is directed to list Crl.A.No.1627 of 2025 for hearing on 04.03.2026.**



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To

- 1.Principal Special Court for POCSO Act,  
Coimbatore.
- 2.The Inspector of Police,  
All Women Police Station,  
Pollachi,  
Coimbatore District.
- 3.The Superintendent,  
Central Prison,  
Coimbatore.
- 4.The Public Prosecutor,  
High Court, Madras.



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**T.V.THAMILSELVI, J.**

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19.11.2025