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CRL MP No. 20050 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20050 of 2025

IN

CRL A NO. 1649 OF 2025

ARAVINDAN

S/o.Iyyanar, No.27, Periyar Colony,
Sirunagar Post, Cheyyar Taluk,
Chengalpattu - 603310.

Petitioner(s)

Vs

The Inspector of Police,
A.W.PS. Tambaram, Tambaram.
Cr.No.09/2021

Respondent(s)

PRAYER

To suspend the sentence imposed against the Petitioner/Appellant (Accused) in Spl.SC.No.40 of 2023 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu 2012 in the judgement dated 23/08/2024 pending disposal of main Criminal Appeal and thus render justice.

For Petitioner(s): M/s.K.P.Satish Kumar
 P.D.Anbarasan
 T.Jeny Valentina

For Respondent: Mr.V. Meganathan, Government
 Advocate

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence and conviction passed in Spl.SC.No.40 of 2023 by the Court of Session Judge, Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Chengalpattu in the judgement dated 23.08.2024 pending disposal of main Criminal Appeal.

2. The petitioner herein is the accused in Spl.SC.No.40 of 2023 by the Court of Session Judge, Special Court for Exclusive Trial of Cases under POCSO Act, 2012, Chengalpattu. He was found guilty of the offence under Sections 366 of I.P.C and sentenced to undergo imprisonment for seven years and to pay a fine of Rs.1,000/- in default to undergo S.I for six months, for the offence u/s 366 of I.P.C and sentenced to undergo imprisonment for seven years and to pay a fine of Rs.1,000/- in default to undergo S.I for six months, for the offence U/s 10 of POCSO Act, 2012. The sentences are ordered to run concurrently. Challenging the same, 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 also submits that due to previous enmity a false complaint has been lodged, however he has paid the entire compensation amount to the victim. 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 each for a like sum to the



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satisfaction of the learned Session Judge, Special Court for

Exclusive Trial of Cases under POCSO Act, **Chengalpattu** .

(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.

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

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

28-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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CRL MP No. 20050 of 2025





CRL MP No. 20050 of 2025



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1. The Inspector of Police,
A.W.PS. Tambaram, Tambaram.
Cr.No.09/2021
2. Special Court for Exclusive Trial of
Cases under POCSO Act, Chengalpattu
3. The Public Prosecutor, High Court,
MAdras



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CRL MP No. 20050 of 2025



T.V.THAMILSELVI, J.

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**CRL MP No. 20050 of
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28-10-2025

2/2