



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20347 of 2025

IN

CRL A NO. 1220 OF 2025

1. SANTHANAKUMAR

S/o. Shanmugam, D.No.3/286,
Duraishamy Street, Kallavi Post,
Uthangarai Taluk, Krishnagiri.

Petitioner(s)

Vs

1. State by, The Deputy Superintendent
of Police,
Krishnagiri Sub Division, Krishnagiri,
Krishnagiri District.

2.The Inspector of Police,
All Women Police Station, Krishnagiri,
Krishnagiri District. (Crime No.
6/2017)

Respondent(s)

CRL MP No. 20347 of 2025

PRAYER

To suspend the sentence imposed against the petitioner in Spl.SC.No.71/2018 on the file of the Learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District dated 26.06.2025 and enlarge the petitioner on bail pending disposal of the said Crl.A.No.1220/2025.

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For Petitioner(s): E.Kannadasan
R.Thulasi
S.Priyadarshini
A.Ajay
T.Madhanraj
P.Agnes Samantha Ophile

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

ORDER

This petition has been filed to suspend the sentence imposed against the petitioner in Spl.SC.No.71/2018 on the file of the Learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District dated 26.06.2025 and enlarge the petitioner on bail pending disposal of the said Crl.A.No.1220/2025.

2. The petitioner herein is the accused in Spl.SC.No.71/2018 on the file of the Learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District. He was found guilty of the offences under Section 366 IPC & Section 5(l) r/w 6 of POCSO Act and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 366 IPC	to undergo 3 years Rigorous Imprisonment and to pay a fine of Rs.1,000/-, in default to



S.No.	Conviction	Sentence
		undergo Simple Imprisonment for 6 months.
2	Section 5(1) r/w 6 of POCSO Act	to undergo 10 years Rigorous Imprisonment and to pay a fine of Rs.5,000/-, in default to undergo Simple Imprisonment for one year

Aggrieved by the same, the petitioners have filed this appeal along with the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioners/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.



6. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioners, also by considering the submissions of the learned counsel for the petitioners and the learned Government Advocate (Crl. Side) appearing for the respondent police, 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.

7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri District. The petitioner shall deposit a sum of Rs.30,000/- within three weeks from the date of his release, to the credit of Spl.SC.No.71/2018 on the file of the Learned Sessions Judge, Fast Track Magalir Neethimandram, Krishnagiri, Krishnagiri 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.



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(c) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. 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.

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

20-11-2025

pbl

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Sessions Judge, Fast Track
Magalir Neethimandram, Krishnagiri,
Krishnagiri District.

2. The Deputy Superintendent of
Police,
Krishnagiri Sub Division, Krishnagiri,
Krishnagiri District.

3. The Inspector of Police,
All Women Police Station, Krishnagiri,
Krishnagiri District.

4. The Central Prison, Salem.

5. The Public Prosecutor, High Court,
Madras.



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T.V.THAMILSELVI J.
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