



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-10-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL MP No. 19900 of 2025**

**IN**

**CRL A NO. 1633 OF 2025**

Rajendiran @ Raji  
S/o. Sivapiragasam, Presently confined  
in Central Prison, Cuddalore,  
Permanantly residing at Koil Street,  
Sanjeevirayanpettai Village,  
Melmalayanur Taluk, Villupuram  
District.

Petitioner(s)

Vs

State Represented by Inspector of  
Police  
Avalurpet Police Station, Villupuram  
District. Crime No. 28/2019.

Respondent(s)

For Petitioner(s): Swami Subramanian  
M.Kaviveerappan  
M.P.Yuvaraj

For Respondent(s): Dr.C.E.Pratap  
Government Advocate (Crl.Side)



## **ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner, To suspend the sentence imposed upon the appellant by the Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram, judgement dated 30.09.2025 in Spl.S.C.No.174 of 2019 and enlarge the petitioner herein on bail pending disposal of the appeal.

2. The petitioner herein is the accused in Spl.S.C.No.174 of 2019 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram. He was found guilty of the following offences:-

(1) under Sections 4(2) of the Protection of Children from Sexual Offences Act, 2012 (POCSO Act), sentenced to undergo 20 years of Rigorous Imprisonment and to pay a fine of Rs.5,000/- and in default sentence to undergo simple imprisonment for a period of six months,

(2) under section 354(D) of the Indian Penal Code, sentenced to undergo 3 year of Rigorous Imprisonment and to pay a fine of Rs.5,000/- and in default sentence to undergo simple imprisonment for a period of six months,



(3) under section 366 of the Indian Penal Code, sentenced to undergo 10 years of Rigorous Imprisonment and to pay a fine of Rs.5,000/- and in default sentence to undergo Simple Imprisonment for a period of six months,

(4) under section 506(i) of the Indian Penal Code, sentenced to undergo 2 years of Rigorous imprisonment,

and (5) under section 307 of the Indian Penal Code, sentenced to undergo 10 years of Rigorous imprisonment and to pay a fine of Rs.5,000/- and in default sentence to undergo Simple Imprisonment for a period of six months,

against which, the present appeal has been filed.

3. The learned counsel for the petitioner/accused would submit that the petitioner was falsely implicated in this case, as if he committed sexual abuse to the victim girl and pushed her into a well. In fact, the petitioner also belongs to a nearby village, and there was an existing dispute regarding elections. Admittedly the petitioner's father was the president of that punchayat, which led to a pre-existing motive for the dispute between them. The parents of the victim girl gave a false complaint, thereby falsely implicated him in this



case.

4. The learned learned counsel also pointed out that victim girl herself admitted to jumping into the well as her mother had scolded her on the date of the occurrence later she was rescued by fire service. The trial Court failed to appreciate all these facts, and prosecution did not prove the case beyond a reasonable doubt. He would further 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.

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 is directed to deposit a sum of Rs.1,00,000/- (Rupees One Lakh only), to the credit of Crime No.28 of 2019, without prejudice his defence, within a period of three weeks from the date of receipt of a copy of this order.

(b) 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 for Exclusive Trial of cases under POCSO Act, Villupuram.

(c) 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.

(d) The petitioner shall appear before the respondent police on every Saturday at 10.30 a.m., until further orders.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in Crime No.28 of 2019, for the mental agony caused to her, on proper identification, in the



manner known to law.

(f) the petitioner shall not to have any communication with  
the victim and her family.

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

**28-10-2025**

Mpa

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Villupuram.
- 2.State Represented by Inspector of Police  
Avalurpet Police Station, Villupuram  
District. Crime No. 28/2019.
- 3.The Superintendent of Police,  
Central Prison, Cuddalore.
- 4.The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI J.**

**mpa**

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