



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 19906 OF 2025

IN CRL A No. 1635 of 2025

1. INDIRA

W/o.Karuppan Kalagnar Street, Indira
Nagr, Kerugambakkam

Appellant(s)

Vs

1. State rep by the Inspector of Police
Poonamallee All Women Police Station
I/C SRMC All Women Police Station,
Thiruvallur district Cr.No.65/2018

Respondent(s)

PRAYER

To suspend the sentence and conviction imposed against the petitioner by judgement dated 08.10.2025 in Spl.S.C.No.65 of 2018 passed by the learned Sessions Judge, Mahalir Neethi Mandram, Fast Track Mahila Court, Tiruavallur and enlarge the petitioner on bail till the disposal of the above Criminal Appeal.

CRL A No. 1635 of 2025

For Appellant(s): V.R.Appaswamee



V.Vijayarajan
S.Thiyagarajan
A. Tamilselvan
T.Praveen

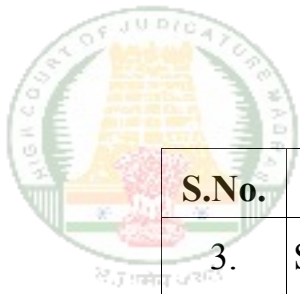
For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to suspend the sentence and conviction imposed against the petitioner by judgement dated 08.10.2025 in Spl.S.C.No.65 of 2018 passed by the learned Sessions Judge, Mahalir Neethi Mandram, Fast Track Mahila Court, Tiruavllur and enlarge the petitioner on bail till the disposal fo the above Criminal Appeal.

2. The Trial Court found the petitioner guilty for the offence under Section 506(i) IPC and Sections 9(1) r/w 10, 9(m) r/w 10 9(o) r/w 10 of POCSO Act, 2012 and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 506 (i) IPC	to undergo rigorous imprisonment for a period of 2 year and to pay fine of Rs.5,000/-, in default to undergo simple imprisonment for three months.
2	Section 9(1) r/w 10 of POCSO Act	to undergo rigorous imprisonment for a period of 5 year and to pay fine of Rs.10,000/-, in default to undergo simple imprisonment for one year.



S.No.	Conviction	Sentence
3.	Section 9(m) r/w 10 of POCSO Act	to undergo rigorous imprisonment for a period of 5 year and to pay fine of Rs.10,000/-, in default to undergo simple imprisonment for one year.
4.	Section 9(o) r/w 10 of POCSO Act	to undergo rigorous imprisonment for a period of 5 year and to pay fine of Rs.10,000/-, in default to undergo simple imprisonment for one year.

Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that the petitioner was a female conductor in the school van, which was driven by the first accused. She was falsely implicated in this case as if she colluded with first accused committed penetrative sexual assault against the victim boys. In fact, the petitioner has not aware about the alleged occurrence, and place of occurrence has not been proved beyond reasonable doubt. Hence, he submits 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 petitioners/accused may be suspended. He would submit that the petitioners 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, stating that the petitioner has committed penetrative sexual assault against the victim boys by placing her hand on their anal area and she has not taken any action to prevent the first accused from committing such offence. Further, he submits that first accused died during the trial and the second accused/petitioner was convicted by the Trial Court for the offence under Section 506(i) IPC and Sections 9(1) r/w 10, 9(m) r/w 10 9(o) r/w 10 of POCSO Act, 2012. 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 petitioner and the petitioner has already been suspended from the post and 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/-**



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(Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahalir Neethi Mandram, Fast Track Mahila Court, Tiruavallur.

(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 petitioners shall appear before the Trial Court as and when required.

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

27-10-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

1. The Sessions Judge, Mahalir Neethi Mandram, Fast Track Mahila Court, Tiruavallur.
2. The Central Prison for woman, Puzhal, Chennai.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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