



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20528 of 2025 IN CRL A NO. 1685 OF 2025

THANIGACHALAM

S/o.Munusamy, Ammoor Road, Pajanai

Kovil Street, Melpudhupettai, Walajai

Taluk, Ranipet District.

Petitioner(s)

Vs

State Rep by

Inspector of Police, All Women Police

Station, Ranipet, Ranipet District.

Crime No.5 of 2020

Respondent(s)

PRAYER: To suspend the sentence imposed in the judgment dated 13.08.2025 and enlarge the petitioner on bail in Spl.S.C.No.25 of 2024 on the file of the Honble Principal District and Sessions Judge, Ranipet, Ranipet District, pending disposal of the CRL.A.No. of 2025 or Pass any other orders, such order that deems to be fit and proper to the facts and circumstances of this case and thus render justice.

For Petitioner(s): S.Suresh
 G.Vinodh Kumar
 S.Kannagi
 M.Vignesh Babu

For Respondent: Mr.V. Meganathan, Government
 Advocate

**ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed in the Judgment dated 13.08.2025 and enlarge the petitioner on bail in Spl.S.C.No.25 of 2024 on the file of the Principal District and Sessions Judge, Ranipet, Ranipet District, pending disposal of the CRL.A.No. Of 2025.

2. The petitioner herein is the accused in Spl.S.C.No.25 of 2024 on the file of the Principal District and Sessions Judge, Ranipet, Ranipet District . He was found guilty of the offence under Sections 5(1)(j)(ii) r/w Section 6 of POCSO Act and under Section 506(ii) of IPC and thereby the accused was convicted for the offence U/s 5(1)(j)(ii) r/w Section 6 of POCSO Act and sentenced to undergo 20 years rigorous imprisonment and to pay a fine amount of Rs.10,000/- in default to undergo one month rigorous imprisonment for the offence u/s 506(ii) of IPC the accused sentenced to undergo 2 years rigorous imprisonment. 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 would submit that the petitioner is ready to abide the condition imposed by this Court.

4. The learned Government Advocate appearing for the respondent submitted that the accused committed penetrative sexual assault on the victim girl. As a result of which the victim became pregnant and she has given birth to a male child. He further submitted that now the child is in S.R.EPS, home Thirupathur.

5. When the matter is taken up for hearing the wife of the accused appeared before this Court and submitted as the accused is in prison the livelihood of the family is affected. He further submitted that she will take care of the child.

6. 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 Spl.S.C.No.25 of 2024 on the file of the Principal District and Sessions Judge, Ranipet, Ranipet District, 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 Principal District and Sessions Judge, Ranipet, Ranipet District,

(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 Trial Court on



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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.

(e) the victim girl is permitted to withdraw the amount, deposited by the petitioner, in Spl.S.C.No.25 of 2024 on the file of the Principal District and Sessions Judge, Ranipet, Ranipet District, on proper identification, in the manner known to law.

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

(g) As a biological father the accused or his wife shall take steps to bring the child from the home in the manner known to law.

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

17-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To.

1. Principal District and Sessions Judge, Ranipet, Ranipet District,
2. The Inspector of Police,
All Women Police Station,
Ranipet, Ranipet District
3. The Superintendent, Central Prison, Vellore



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CRL MP No. 20528 of 2025





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T.V.THAMILSELVI, J.

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1/2