



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20221 of 2025 AND CRL A NO. 653 OF 2025

1. Selvakumar

S/o.Gopal, Maduraiveeran Kovil Last

Street, Panaimarathupalayam,

Koolanaikanpatti, Lakshmapuram Post,

Pollachi, Coimbatore. (Now Confined

in the Central Prison, Coimbatore)

Petitioner(s)

Vs

1. The State by, The Inspector of Police,

All Women Police Station, Pollachi

Coimbatore District. (Crime

No.37/2021)

Respondent(s)

PRAYER: To suspend the sentence imposed against the petitioner on 08.03.2024 in Spl.S.C.No.101 of 2022 on the file of the Learned Principal Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore and enalarge the petitioner on bail till the disposal of the Criminal Appeal

For Petitioner(s): P.Pugalenthi
G.Muralidharan

For Respondent: Mr.V. Meganathan, Government Advocate



ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed against the petitioner on 08.03.2024 in Spl.S.C.No.101 of 2022 on the file of the Learned Principal Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore and enlarge the petitioner on bail till the disposal of the Criminal Appeal.

2. The petitioner herein is the accused in Spl.S.C.No.101 of 2022 on the file of the Learned Principal Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore. He was found guilty of the offence under Sections 5(m) punishable under Section 6 of POCSO Act, 2012 and Section 376 AB of IPC and Sentenced to 20 years R.I and to pay a fine of Rs.10,000/- in default to undergone for one year S.I. 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 case has been



foisted against the petitioner. He would further submit that the compensation was paid to the victim girl. 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, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the learned Principal Special Court for Exclusive Trial of cases under POCSO Act, Coimbatore

(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 stay at Dindugul and report before the Dindugul Town police station everyday at 10:30 a.m for a period of 3months and thereafter 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.

31-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To,

1. The Inspector of Police,
All Women Police Station,
Pollachi Coimbatore
District.

2. The Learned Principal
Special Court for
Exclusive Trial of cases
under POCSO Act,
Coimbatore.

3. The Superintendent,
Central Prison,
Coimbatore



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T.V.THAMILSELVI, J.

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