



**Crl.M.P.No.20284 of 2025
in Crl.A.No.712 of 2024**

T.V.THAMILSELVI, J.

Today, this Criminal Miscellaneous Petition is listed under the caption, “For Being Mentioned” at the instance of learned counsel for petitioner/accused.

2. The learned counsel for petitioner/accused submitted that this Court vide Order dated 18.11.2025, allowed Crl.M.P.No.20284 of 2025 in Crl.A.No.712 of 2024. Operative portion of the said order reads as follows:

“5. Considering the age of the petitioner, and the fact that the child born to them was already given for adoption, and that the victim is under the care and custody of her parents, and case coupled with the quantum of punishment imposed upon the petitioner, and 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.3,00,000/- (Rupees three lakhs only) in the name of the victim child within a period of three weeks from the date of release. In case of any deviation, this order will be vacated.



(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 shall be a blood related surety, each for a like sum to the satisfaction of the Special Judge for Exclusive trial of cases under POCSO Act 2012, Vellore, Vellore 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 report before the respondent police on every Sunday at 10.30 a.m, and also shall appear before the Trial Court on every Saturday 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."

2.1. It is further submitted by the learned counsel for petitioner/accused that in Clause (a) of Paragraph No.5 of the Order dated 18.11.2025 in CrI.M.P.No.20284 of 2025 in CrI.A.No.712 of 2024, it has been stated that petitioner/accused is directed to deposit Rs.3,00,000/- in the name of the victim child, within a period of three weeks from the date of his release. The petitioner/accused is the sole bread winner of his family and he could not mobilize such a huge amount. Therefore, the learned counsel prayed that conditional deposit amount may be modified.



2.2. The learned counsel for petitioner/accused also submitted that in Clause (b) of Paragraph No.5 of the Order dated 18.11.2025 in CrI.M.P.No.20284 of 2025 in CrI.A.No.712 of 2024, it has been stated that petitioner/accused is ordered to be released on bail on execution of bond for a sum of Rs.25,000/- with two sureties, out of which, one surety shall be a blood related surety, each for a likesum to the satisfaction of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore, Vellore District. The learned counsel prayed that the petitioner/accused may be allowed to execute a bond for a sum of Rs.25,000/- with two local sureties, each for a likesum to the satisfaction of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, Vellore.

3. The learned Government Advocate (CrI.Side) appearing on behalf of respondent Police submitted that he has no serious objection for modifying the Clauses (a) & (b) of Paragraph No.5 of the Order dated 18.11.2025 in CrI.M.P.No.20284 of 2025 in CrI.A.No.712 of 2024.

4. Considering the submissions made by the learned counsel on either side, this Court is inclined to modify the Clauses (a) & (b) of Paragraph



No.5 of the Order dated 18.11.2025 in Crl.M.P.No.20284 of 2025 in Crl.A.No.712 of 2024. Accordingly, the same are modified as follows:

“(a) the petitioner/accused is directed to deposit a sum of Rs.2,00,000/- (Rupees Two Lakhs only) in the name of the victim child, within a period of three weeks from the date of release. In case of any deviation, this order will be vacated.

“(b) the petitioner/accused is ordered to be released on bail, on execution of bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two local sureties, each for a like sum to the satisfaction of the learned Special Judge for Exclusive Trial of Cases under POCSO Act, 2012, Vellore, Vellore District.”

5. In all other aspects, Order dated 18.11.2025 in Crl.M.P.No.20284 of 2025 in Crl.A.No.712 of 2024 passed by this Court, shall remain unaltered. Registry is directed to issue a fresh order copy to all concerned, after carrying out the aforesaid correction.

09.12.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order



WEB COPY



T.V.THAMILSELVI, J.

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CrI.M.P.No.20284 of 2025
in CrI.A.No.712 of 2024

09.12.2025



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CRL MP No. 20284 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20284 of 2025

in

Crl.A.No.712 of 2024

1. Anvar Basha
S/o.Abdul Jappar, Pillaiyar Koil Street,
Keezhvisaram, Walajapet Taluk,
Ranipet District.

Petitioner(s)

Vs

1. State by, The Inspector of Police,
All Women Police Station, Ranipet,
Ranipet District. (Vellore District).

Respondent(s)

PRAYER

To suspend the sentence imposed against the petitioner in Spl.S.C.No.160/2021 on the file of the Learned Special Judge for Exclusive trial of cases under POCSO Act 2012, Vellore, Vellore District dated 12.09.2022 and enlarge the petitioner on bail pending disposal of the said Crl.A.No.712/2024 on the file of this Honble Court.

For Petitioner(s): M/s.E.Kannadasan
Thulasi R
S.Priyadarshini
A.Ajay

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

ORDER



The petitioner has filed this petition to suspend the sentence imposed against the petitioner in Spl.S.C.No.160 of 2021 on the file of the Special Judge for Exclusive trial of cases under POCSO Act 2012, Vellore, Vellore District dated 12.09.2022 and enlarge the petitioner on bail pending disposal of the said Crl.A.NO.712 of 2024 on the file of this Court.

2. The petitioner herein is the accused in Spl.S.C.No.160 of 2021 on the file of the Special Judge for Exclusive trial of cases under POCSO Act 2012, Vellore, Vellore District. He sentenced to undergo simple imprisonment for 3 years and to pay fine of Rs.5,000/-, in default to undergo 3 months simple imprisonment and convicted for the offences under sections 5(1), 5(j)(ii) r/w.6 of POCSO Act and sentenced to undergo rigorous imprisonment for 20 years and to pay a fine of Rs.5,000/-, in default to undergo simple imprisonment for 3 months, against which the present appeal has been filed.

3. The learned counsel for the petitioner submitted that he was falsely implicated in this case, as he allegedly committed penetrative sexual assault on the victim. He is aged more than 75 years and prayed for suspension of sentence. He further submitted that due to his ailment, his family has also suffered.



4. The learned Government Advocate (Crl. Side) raised strong objections, stating that the child born to the petitioner and the victim girl was given for adoption and that the prosecution has proved the case beyond reasonable doubt.

5. Considering the age of the petitioner, and the fact that the child born to them was already given for adoption, and that the victim is under the care and custody of her parents, and case coupled with the quantum of punishment imposed upon the petitioner, and 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.3,00,000/- (Rupees three lakhs only) in the name of the victim child within a period of three weeks from the date of release. In case of any deviation, this order will be vacated.

(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 shall be a blood related surety, each for a like sum to the satisfaction of the Special Judge for Exclusive trial of cases under POCSO Act 2012, Vellore, Vellore 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 report before the respondent police on every Sunday at 10.30 a.m, and also shall appear before the Trial Court on every Saturday 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.

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

For reporting compliance, post the case on 22.01.2026.

18-11-2025

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
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To

1.State by, The Inspector of Police,



All Women Police Station, Ranipet,
Ranipet District. (Vellore District).

2. The Special Judge for Exclusive trial
of cases under POCSO Act 2012,
Vellore, Vellore District.

3. The Superintendent,
Central Prison, Vellore.

4. The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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18-11-2025