



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20724 of 2025 AND CRL A NO. 51 OF 2024

1. SASIKUMAR

S/O. Jagadeesan, No.59, North street,
Pavunkarambai, Keezhvasal, Thanjavur.
Now residing at Saraswathi Backery
back side, K.V.R.Nagar, Tirupur.

Petitioner(s)

Vs

1. The State rep by The Inspector of
Police
Veerapandi police station, Tirupur
District. Cr.NO.250/2015.

Respondent(s)

CRL A No. 51 of 2024

1. SASIKUMAR

S/O. Jagadeesan, No.59, North street,
Pavunkarambai, Keezhvasal, Thanjavur.
Now residing at Saraswathi Backery
back side, K.V.R.Nagar, Tirupur.

Appellant(s)

Vs

1. Inspector Of Police
Veerapandi police station, Tirupur
District. Cr.NO.250/2015.



Respondent(s)

CRL MP No. 20724 of 2025

WEB PRAYER

To suspend the sentence imposed in Spl.S.C.No.43 of 2018 on the file of the Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur dated 04.07.2023 and enlarge the petitioner on bail pending disposal of the above Crl.A.No.51 of 2024.

For Petitioner(s): C.S.Saravanan
M. Vignesh

For Respondent : Mr.V. Meganathan, Government Advocate

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed in Spl.S.C.No.43 of 2018 on the file of the Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur dated 04.07.2023 and enlarge the petitioner on bail pending disposal of the above Crl.A.No.51 of 2024.

2. The petitioner herein is the accused in Spl.S.C.No.43 of 2018 on the file of the Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur. He was found guilty of the offence under Sections 366(A) of IPC and 5(1) r/w Section 6 of POCSO Act and sentenced to undergo 10 years of Rigorous imprisonment



and fine of Rs.1,000/- in default to undergo one year R.I for the offence under

Section 5(1) r/w 6 of POCSO Act and to undergo 5 years R.I and fine of

Rs.1,000/- in default 6 months R.I for the offence under Section 366 of IPC and

the sentence should run concurrently. Against which, 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 would submit that the victim girl is secured and she is under the care and custody of the parents. However, considering the nature of offence he prays to dismiss this petition.

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.50,000/- (Rupees Fifty thousand only), to the credit of SC.No.43 of 2018 on the file of the Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur, 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 Spl.S.C.No.43 of 2018 on the file of the Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur .

(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.



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(d) The petitioner shall 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.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in Spl.S.C.No.43 of 2018 on the file of the Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur on proper identification, in the manner known to law.

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

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

7. Considering the fact of the case and the mental agony suffered by the victim family, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority, Tiruppur District is directed to refer the matter to the District Collector under the said Scheme.



8. The District Collector is directed to verify whether the compensation was paid to the victim girl which was awarded by the Court below, if not paid the compensation should be paid within a period of two weeks from the date of receipt of a copy of this order.

06-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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1. The Inspector of Police

2. The learned Sessions Judge, Mahalir Neethimandam, FTMC, Tiruppur

3. The Superintendent, Central Prison, Coimbatore

4. The Public Prosecutor, High Court, Madras



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CRL MP No. 20724 of 2025



T.V.THAMILSELVI, J.

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