



WEB COPY

CRL MP No. 21840 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21840 of 2025

IN

CRL A NO. 1664 OF 2025

1. SURESH

S/o.Subramani, Neelavathi Nagar,
Vadakku Veli, Vettavalam Village,
Kelpennathur Taluk, Tiruvannamalai
District (Now convict Prisoner Central
Prison, Vellore-2)

Petitioner(s)

Vs

1. State by, The Inspector of Police,
Vettavalam Police Station,
Tiruvannamalai District.
Cr.No.1116/2020.

Respondent(s)

PRAYER

To suspend the sentence imposed against the petitioner dated 20.12.2024 in Spl.SC.No.11 of 2021, on the learned Special Court for Exclusive trial of cases under POCSO Act, Thiruvannamalai, and enlarge the petitioner on bail till the disposal of the criminal appeal.

CRL MP No. 21840 of 2025

For Petitioner(s): M/s.P.Pugalenth
G.Muralidharan

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



WEB COPY

ORDER

This petition has been filed to suspend the sentence imposed against the petitioner dated 20.12.2024 in Spl.SC.No.11 of 2021, on the learned Special Court for Exclusive trial of cases under POCSO Act, Thiruvannamalai, and enlarge the petitioner on bail till the disposal of the criminal appeal.

2. The petitioners herein are the accused in Spl.S.C.No. 11 of 2021. on the file of the learned Special Court for Exclusive trial of cases under POCSO Act, Thiruvannamalai. They were found guilty of the offences under Section 363(2counts), 366, 375(b), 376AB of IPC and Sections 7 r/w 8, 5(m) r/w 6 of POCSO Act, 2012 and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 7 r/w 8, of POCSO Act, 2012	to undergo rigorous imprisonment for a period of 5 year and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for 1 year.
2	Section 375(b), 376AB of IPC and Sections 5(m) r/w 6 of POCSO Act, 2012	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for 2 years.

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



WEB COPY

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. 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, also by considering



the submissions of the learned counsel for the petitioner 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 is directed to deposit a sum of Rs.50,000/- before the Trial court, on such deposit, the petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Special Court for Exclusive trial of cases under POCSO Act, Thiruvannamalai. Further, the parents of the victim is permitted to withdraw the amount deposited by the petitioner.

(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 petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they shall make



arrangements to file an application under Section 317 Cr.P.C. 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.

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

20-11-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Special Court for Exclusive trial of cases under POCSO Act, Thiruvannamalai.
- 2 The Inspector of Police, Vettavalam Police Station, Tiruvannamalai.
3. The Central Prison, Vellore.
4. The Public Prosecutor, High Court, Madras.



WEB COPY

CRL MP No. 21840 of 2025



T.V.THAMILSELVI J.
pbl

**CRL MP No. 21840 of
2025
IN CRL A NO. 1664 OF
2025**

20-11-2025