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CRL MP No. 20653 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20653 of 2025

IN

CRL A NO. 1696 OF 2025

N.Chandran

S/o.Narayanappa, No., Kumbalam

Village, Soolagiri Taluk, Krishnagiri

District.

Petitioner(s)

Vs

The State Rep by, The Inspector of

Police,

All Women Police Station - Hosur,

Krishnagiri District. Cr.No.03/2021.

Respondent(s)

PRAYER

To suspend the sentence imposed in Judgment and Conviction passed in Spl.S.C.No.18/2021 dated 14.10.2025 on the file of the Learned Sessions Judge, Fast Track Mahila Court, Krishnagiri and release the petitioner on bail pending Criminal Appeal.

For Petitioner(s): Mr. B Mohan

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

**ORDER**

WEB COPY This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri in Spl.S.C.No.18 of 2021 dated 14.10.2025 and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in Spl.S.C.No.18 of 2021 on the file of the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri. He was found guilty of the offences under Section 366 of I.P.C. and Sec. 5(1) r/w 6 (1) of POCSO Act and he has been convicted and sentenced as under:-

S.No.	Conviction	Sentence
1	Section 366 of I.P.C.	to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.1000/-, in default, to undergo rigorous imprisonment for six months.
2	Section 5(1) r/w 6 of POCSO Act	to undergo rigorous imprisonment for a period of 20 years and to pay fine of Rs.1,000/-, in default to undergo rigorous imprisonment for further period of two years.

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

3. The learned counsel for the petitioner/accused would submit that he has been falsely implicated in this case as if he had committed sexual assault



to the victim girl, but in fact he had a love affair with the victim girl and he has not committed any offence as alleged against him, but the parents of victim girl gave a false complaint against him, due to which he was convicted. He would submit that he is in custody from the date of judgment i.e. on 14.10.2025 for more than 21 days. He would also 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 and contended that at the time of occurrence, the victim girl was aged about 15 years and he is aged about 21 years. Further, he would contend that he has no bad antecedents and 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.

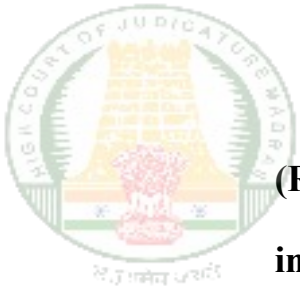
5. Heard the learned counsel appearing on either side and also perused the materials placed on record.



6. The learned counsel for petitioner would submit that as on date, victim girl got married. On perusal of victim girl statement, it reveals the fact that victim girl had a love affair with the petitioner and both had eloped and they have got married at temple. Furthermore, the facts reveal that the petitioner has to look after his parents, due to his incarceration, they are struggling for their livelihood and he is in custody from the date of judgment i.e. on 14.10.2025 for more than 21 days and he has no bad antecedents and he is ready to abide any condition imposed by this court. Considering that and 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 petitioner/accused is ordered to be released on bail, on his executing a separate bond **for a sum of Rs.25,000/-**



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(Rupees Twenty Five Thousand only) with two sureties each, **in which one surety must be a blood surety**, for a like sum to the satisfaction of the **learned Fast Track Mahila Court, Krishnagiri.**

(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 respondent police on every Saturday at 10.30 a.m. for the period of three months and he shall also 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 he shall not have any communication with the victim girl and her family 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 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.

05-11-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Sessions Judge, Fast Track Mahila Court, Krishnagiri.

2. The Inspector of Police,
All Women Police Station - Hosur, Krishnagiri District.

3. The Superintendent of Prison, Central Prison, Salem.

4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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(2/2)**