



WEB COPY

CRL MP No. 23044 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 28-11-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL MP No. 23044 of 2025**

**IN**

**CRL A NO. 1838 OF 2025**

1. KANTHASAMY

S/o.Pachikonar, No.22/12,  
Lakshmipuram, 1st Main Road,  
Velachery, Chennai - 600 042.

Petitioner(s)

Vs

1. The State represented by,  
Inspector of Police, W-21, All Women  
Police Station, Guindy, Chennai. Crime  
No.6/2023

Respondent(s)

**CRL A No. 1838 of 2025**

1. KANTHASAMY

S/o.Pachikonar, No.22/12,  
Lakshmipuram, 1st Main Road,  
Velachery, Chennai - 600 042.



Vs

1. The State represented by,  
S/o.Pachikonar, No.22/12,  
Lakshmipuram, 1st Main Road,  
Velachery, Chennai - 600 042.

**PRAYER**

To suspend the Sentence till the disposal of the above Appeal, against the Judgment passed by Learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai on dated 14.12.2023 made in Special S.C.No.167/2023 and enlarge the Petitioner/Appellant/Accused on Bail and thus render justice.

For Petitioner(s): M/s.S.Chrispinraj

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

**ORDER**

The petitioner has filed this petition to suspend the sentence of imprisonment against the petitioner, till the disposal of the above Appeal, against the Judgment passed by Learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chennai on dated 14.12.2023 made



in Special S.C.No.167/2023 and enlarge the Petitioner/Appellant/Accused on Bail.

2. The petitioner / appellant / accused was convicted for an offence under Sections 10 and 12 of POCSO Act and sentenced to undergo imprisonment for 5 years and to pay a fine of Rs.5,000/- in default to payment of fine, to undergo one month simple imprisonment for the offence under Section 10 of POCSO Act and sentenced the appellant to undergo imprisonment for one year and to pay a fine of Rs.1,000/- in default fo payment of fine, to undergo simple imprisonment for one month for the offence under Section 12 of POCSO Act., against which the present appeal has been filed.

3. The learned counsel for the appellant / 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. 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 Sessions Judge, Special Court for Exclusive Trial of cases under POCSO Act, Chennai.



(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 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.

**28-11-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes



Neutral Citation: Yes/No  
rri

CRL MP No. 23044 of 2025





WEB COPY

To

1.The State represented by,  
Inspector of Police, W-21,  
All Women Police Station,  
Guindy, Chennai.  
Crime No.6/2023.

2.The Superintendent,  
Puzhal Central Prison – I, Chennai.

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

4. The Sessions Judge, Special Court  
for Exclusive Trial of Cases under  
POCSO Act, Chennai.



WEB COPY

CRL MP No. 23044 of 2025



**T.V.THAMILSELVI J.**  
**rri**

**CRL MP No. 23044 of**  
**2025**  
**IN CRL A NO. 1838 OF**  
**2025**

**28-11-2025**