



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. 21087 of 2025 in Crl.A.No.1163 of 2023

Manikandan

S/o Suresh

Market New Street,

Chinnamanur,

Uthamapalayam, Theni

Petitioner(s)

Vs

The State rep by its

Inspector of Police,

Perumanallur Police Station,

Tiruppur District

(Crime No.174 of 2021)

Respondent(s)

PRAYER

To suspend the sentence passed in Special S.C.No.103 of 2021 dated 06.06.2024 passed by the learned 1st Additional District & Sessions Judge (FAC), Magalir Neethimandram (FTMC), Tiruppur enlarge the petitioner on bail pending disposal of the above said Criminal appeal and pass orders.

For Petitioner(s): P. Thinesh

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



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence passed in Special S.C.No.103 of 2021 dated 06.06.2024 passed by the learned 1st Additional District & Sessions Judge (FAC), Magalir Neethimandram (FTMC), Tiruppur enlarge the petitioner on bail pending disposal of the above said Criminal appeal

2. The petitioner herein is the accused in Special S.C.No.103 of 2021 dated 06.06.2024 on the file of learned 1st Additional District & Sessions Judge (FAC), Magalir Neethimandram (FTMC), Tiruppur He was found guilty of the offence under Sections 5(I) r/w Section 6 of POCSO Act r/w 366 of IPC. For the offence punishable under section 5(1) r/w Section 6 of POCSO Act convicted and sentenced to undergo rigorous imprisonment for 20 years and also to pay a fine of Rs.5,000/- in default to undergo 3 months of simple imprisonment. For the offence punishable under Section 366 of IPC convicted and sentenced to undergo rigorous imprisonment for 3 years and also a pay a



fine of Rs.2,000/- in default to undergo 3 months of simple imprisonment and further the above said sentenced imposed for the above said offence ar to 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 now the victim girl has been secured and now she is under the care and custody of her parents.

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/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 1st Additional District & Sessions Judge (FAC), Magalir Neethimandram (FTMC), Tiruppur

(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.

11-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To.

1. The learned 1st Additional District & Sessions Judge (FAC), Magalir Neethimandram (FTMC), Tiruppur
2. The Superintendent, Central Prison, Tiruppur
3. The Inspector of Police,
Perumanallur Police Station, Tiruppur District
4. . The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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