



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21625 of 2025 AND CRL A NO. 1534 OF 2025

1. MICHEL

S/o.Kanagarayan, Alamara Street,
Chinnapandi Village, Vembi Post,
Vikkiravandi Taluk, Villupuram
District. (Now Detained as a Convict
Prisoner, Central Prison-1, Puzhal,
Chennai-66)

Petitioner(s)

Vs

1. State By

The Inspector of Police, Thuraipakkam
Police Station, Chengalpattu District.
Cr.No.381 of 2016

Respondent(s)

PRAYER: To suspend the sentence imposed against the petitioner dated on 27.11.2023 in Spl.S.C.No.35 of 2019, on the file of the Learned Sessions Court, Special Court for Exclusive Trial of POCSO Act, Chengalpattu, and enlarge the petitioner on bail till the disposal of the Criminal Appeal and thus render justice.

For Respondent: Mr.V. Meganathan, Govt
Advocate



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to o suspend the sentence imposed against the petitioner dated on 27.11.2023 in Spl.S.C.No.35 of 2019, on the file of the Learned Sessions Court, Special Court for Exclusive Trial of POCSO Act, Chengalpattu, and enlarge the petitioner on bail till the disposal of the Criminal Appeal

2. The petitioner herein is the accused in Spl.S.C.No.35 of 2019, on the file of the Learned Sessions Court, Special Court for Exclusive Trial of POCSO Act, Chengalpattu,. He was convicted under Section 354(b) of IPC and sentenced him to undergo 5 years R.I and to pay a sum of Rs.5,000/- in default to undergo six months S.I, further convicted him u/s Section 5(m) r/w Section 6 of POCSO Act, 2012 and sentenced him to undergo 10 years R.I and to pay a sum of Rs.10,000/- in default to undergo one year R.I. The Trial Court further ordered that the sentences were ordered to run concurrently. Against which, the present appeal has been filed.



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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. 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 Court, Special Court for Exclusive Trial of POCSO Act, Chengalpattu

(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 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.

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

17-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To.

1. The Learned Sessions Court, Special Court for Exclusive Trial of POCSO Act,
Chengalpattu,

2. The Inspector of Police,
Thuraipakkam Police Station, chengalpattu District

3. The Superintendent, Central Prison-1, Puzhal, Chennai – 66



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CRL MP No. 21625 of 2025





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CRL MP No. 21625 of 2025



T.V.THAMILSELVI, J.

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