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CRL MP No. 21792 of 20



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21792 of 2025

AND

CRL A NO. 448 OF 2025

1. NATARAJ

S/o. Angusamy, 4/635/1, Dhevendhiran
Nagar, Venni Thottam, Cheyur,
Avinashi, Tiruppur District.

Petitioner(s)

Vs

1. The State by, The Inspector of Police,
Avinashi All Women Police Station,
Avinashi, Tiruppur District.
Cr.No.02/2020.

Respondent(s)

PRAYER

To suspend the sentence imposed on the Appellant and enlarge the petitioner on bail in Spl.S.c.No.53 of 2020 on the file of the Learned Sessions Judge Mahila Court, FAC, Tiruppur Dated 05.01.2022

CRL MP No. 21792 of 2025

For Petitioner(s): Manoj Vasanth
 K. Arun Goutham
 T. Subhiksha
 M. Thiyageswaran

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

**ORDER**

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This petition has been filed to suspend the sentence imposed on the Appellant and enlarge the petitioner on bail in Spl.S.C.No.53 of 2020 on the file of the Learned Sessions Judge Mahila Court, FAC, Tiruppur Dated 05.01.2022.

2. The petitioner is an accused in Special SC.No.53 of 2020 dated 05.01.2022, on the file of the Learned Sessions Judge Mahila Court (FAC), Tiruppur, for the offences punishable under Sections 5(m), 5(n) read with Section 6 of POCSO Act and Section 376B of IPC. He was found guilty and he has been convicted and sentenced as under:-

S.No.	Conviction	Sentence
1	Section 5(m) read with Section 6 of POCSO Act	To undergo rigorous imprisonment for a period of 20 years and ordered to pay a fine of Rs.5,000/- and in default to undergo rigorous imprisonment for a period of one year.
2	Section 5(n) read with Section 6 of POCSO Act	To undergo rigorous imprisonment for a period of 20 years and ordered to pay a fine of Rs.5,000/- and in default to undergo rigorous imprisonment for a period of one year.
3	Section 376 B of IPC	To undergo rigorous imprisonment for a period of 20 years and ordered to pay a fine of Rs.5,000/- and in default to undergo rigorous imprisonment for a period of one year

The petitioner was also ordered to pay a sum of of Rs.1,00,000/- as per Section 7(3)(vii) of POCSO Act, as compensation to the victim girl. Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition. Aggrieved by the same, the petitioner has filed this appeal along with the



present miscellaneous petition.

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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 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. Further, he submits that the petitioner is detained in prison for the past 1405 days. 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 petitioners 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 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 Sessions Judge Mahila Court, FAC, Tiruppur. Further, the petitioner has caused mental agony to the victim and her family, hence, the petitioner is directed to deposit a sum of Rs.30,000/- to the credit of SC.No.53 of 2020, on the file of the Learned Sessions Judge Mahila Court (FAC), Tiruppur, and the victim is permitted to withdraw the same.

(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 petitioners shall appear before the Trial Court on every Tuesday and Friday at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial



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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. Further, the District Legal Service Authority, Tiruppur District is directed to verify whether the compensation was paid to the victim, if the compensation is not paid, it is directed to take steps to get the compensation from the Government within a period of 12 weeks from the date of receipt of a copy of this order.

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

20-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The District Legal Service Authority, Tiruppur District.
2. The Sessions Judge Mahila Court, FAC, Tiruppur.
3. The Inspector of Police, Avinashi All Women Police Station, Avinashi.
4. The Central prison, Coimbatore.
5. The Public Prosecutor, High Court, Madras.

T.V.THAMILSELVI J.

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