



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22324 of 2025

AND

CRL A NO. 1026 OF 2025

1. Anthony @ Faizal,
s/o. Anandan @ Ahamedullah,
D.No.13/542, Kasimvayal, Gudalur,
The Nilgiri District.

Petitioner(s)

Vs

1. State Rep by, Inspector of Police,
All women Police Station, Gudalur, The
Nilgiris District. Crime No. 9/2019

Respondent(s)

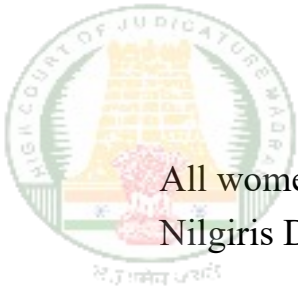
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1. Anthony @ Faizal,
s/o. Anandan @ Ahamedullah,
D.No.13/542, Kasimvayal, Gudalur,
The Nilgiri District.

Appellant(s)

Vs

1. State Rep by, Inspector of Police,



All women Police Station, Gudalur, The
Nilgiris District. Crime No. 9/2019

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Respondent(s)

CRL MP No. 22324 of 2025

PRAYER

To Suspend the sentence imposed in Spl.S.C.No. 14/2021 dt. 28.01.2025 on the file of learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udthagamandalam and enlarge the petitioner on bail pending disposal of the Crl.A

For Petitioner(s): M.N.Balakrishnan
S.N.Arunkumar
P.Narayana Prasadh

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed in Spl.S.C.No. 14/2021 dt. 28.01.2025 on the file of learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udthagamandalam and enlarge the petitioner on bail pending disposal of the Crl.A

2. The petitioner herein is the accused in Spl.S.C.No. 14/2021 dt.



28.01.2025 on the file of learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) . He was convicted and sentenced to under go 3 years

Rigorous imprisonment and to pay fine amount of Rs.1,000/- for the offence U/s

7 r/w 8 of POCSO Act and sentenced to undergo 20 years rigorous

imprisonment and to pay a fine amount of Rs.5,000/- for the offence U/s 5(i)

r/w 6 and sentenced to undergo 20 years rigorous imprisonment and to pay a

fine amount of Rs.5,000/- for the offence u/s 5(m) r/w 6 of POCSO Act, 2012.

Total fine amount of Rs.11,000/- in default to undergo 3 months simple

imprisonment and ordered all the sentences shall run concurrently and the

period of detention already undergone by the accused is ordered to be set off

under section 428 of Cr.P.C by the Judgment made in Spl.S.C.No.14 of 2021

dated 28.01.2025 by the learned Sessions Judge, Magalir Neethimandram (Fast

Track Mahila Court), Udthagammandalam. Challenging the same the petitioner

has filed the present petition.

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. Heard both sides and perused the materials available on record.

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.

6. Accordingly, till the disposal of the Criminal appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:



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(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, Magalir Neethimandram (Fast Track Mahila Court), Udhagammandalam

(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.

(d) the petitioner shall not to have any communication with the victim family.



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

27-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To.

1. The learned Sessions Judge, Magalir Neethimandram (Fast Track Mahila Court) Udhagamandalam
2. All women Police Station, Gudalur, The Nilgiris District.
3. The Superintendent Central Prison, Coimbatore



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T.V.THAMILSELVI, J.

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