



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 26.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

Crl.M.P.No.21917 of 2025

in Crl.A.No.1775 of 2025

Vimalraj

...Petitioner

Versus

The State

Rep. by the Inspector of Police,

A.W.P.S., Mayiladuthurai.

(Crime No.09/2021)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 473 of BNSS, 2023 praying to suspend the substantial sentence imposed on the petitioners/appellants on the file of the learned District and Sessions Judge, Mayiladuthurai in Special S.C.No.69 of 2024 order dated 15.10.2025 and enlarge the petitioners on bail pending disposal of the above criminal appeal.



For Petitioner : Mr.T.Chandran Sundar Sashikumar
for M/s.Mythili Srinivas

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

ORDER

This Criminal Miscellaneous Petition has been filed by the Petitioner seeking to suspend the sentence of imprisonment imposed on him by the learned District and Sessions Judge, Mayiladuthurai vide Judgment dated 15.10.2025 in Spl.S.C.No.69 of 2024 and enlarge him on bail pending disposal of the above Criminal Appeal.

2. The Petitioner is Accused No.1 in Spl.S.C.No.69 of 2024 on the file of District and Sessions Court, Mayiladuthurai. The Petitioner/Accused No.1 was found guilty of the offence under Sections 451 & 354(B) of IPC and Section 11(i), (ii), (iv) r/w. 12 & 7 r/w. 8 of POCSO Act, 2012.



Therefore, Trial Court vide Judgment dated 15.10.2025 in Spl.S.C.No.69 of 2024, convicted the Petitioner/Accused No.1 and sentenced him as follows:

S.No.	Offence	Punishment
1	Under Section 451 of IPC	To undergo 2 years simple imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.
2	Under Section 354(B) of IPC	To undergo 3 years simple imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.
3	Under Section 11(i), (ii), (iv) of POCSO Act, 2012 punishable under Section 12 of POCSO Act, 2012	To undergo 3 years simple imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.
4	Under Section 7 of POCSO Act, 2012 punishable under Section 8 of POCSO Act, 2012	To undergo 3 years simple imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.

Aggrieved by the said conviction and sentence, Petitioner/Accused No.1 has preferred the present Criminal Appeal.

3. The learned counsel for Petitioner/Accused No.1 submitted that Petitioner/Accused No.1 has been falsely implicated in this case and he is ready to abide any condition to be imposed by this Court. Therefore, the



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learned counsel prayed that the substantive sentence imposed on the Petitioner/Accused No.1 may be suspended.

4. The learned Government Advocate (Crl.Side) appearing for respondent Police submitted that Petitioner/Accused No.1 embarrassed the minor victim girl with his bad sexual gestures. That apart, Petitioner/Accused No.1 trespassed into the bathing place of minor victim girl and attempted to disrobe her. Before the trial Court, the prosecution has proved the charges framed against the Petitioner/Accused No.1 beyond all reasonable doubt. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to Petitioner/Accused No.1.

5. Heard the learned counsel on both sides and perused the materials available on record.



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6. Considering the submissions made by the learned counsel for Petitioner/Accused No.1 coupled with the quantum of punishment imposed on Petitioner/Accused No.1 and taking into consideration of the fact that the Criminal Appeal is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.

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

(i) The Petitioner/Accused No.1 shall deposit a sum of Rs.20,000/- (Rupees Twenty Thousand only) to the credit of Spl.S.C.No.69 of 2024 on the file of District and Sessions Court, Mayiladuthurai, within a period of two weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically cancelled;

(ii) If the Petitioner/Accused No.1 fails to deposit the



aforesaid amount, it is open to the trial Court to commit the Petitioner/Accused No.1 into custody for undergoing the sentence;

(iii) The sentence of imprisonment imposed on the Petitioner/Accused No.1 shall be suspended and the Petitioner/Accused No.1 shall be released on bail on condition that he shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the satisfaction of Trial Court;

(iv) The Petitioner/Accused No.1 and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Trial Court may obtain a copy of their Aadhaar Card or Bank Pass Book and their mobile numbers to ensure their identity;

(v) The Petitioner/Accused No.1 shall appear before the respondent Police, as and when required and also, he shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., till the disposal of 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 his absence, as directed by the Trial Court; and

(vi) The Petitioner/Accused No.1 shall not have any communication with the victim girl and her family.

8. It is made clear that on aforesaid deposit of Rs.20,000/- by the Petitioner/Accused No.1 in Spl.S.C.No.69 of 2024 on the file of District and Sessions Court, mother of the victim girl is permitted to withdraw the said amount and utilize the same for the welfare of victim girl.

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

26.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

7/7



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1.The District and Sessions Judge,
Mayiladuthurai.

2.The Inspector of Police,
A.W.P.S., Mayiladuthurai.

3.The Public Prosecutor,
High Court, Madras.

T.V.THAMILSELVI, J.

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