



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22458 of 2025

AND

CRL A NO. 768 OF 2025

1. Sree

S/O.Kalaiyaran, No.2/253, Jayanthi
Nagar, Wellington, Nilgiris.

Petitioner(s)

Vs

1. The State Rep. by the Inspector of
Police,
Ooty Town Central Police Station,
Ooty, Nilgiris District.

Respondent(s)

PRAYER

To suspend the sentence passed in the judgment in Spl.SC.No.65 2022 dated 27.03.2025 on the file of Sessions Judge, Mahila Needhimandram, Fast Track Court, Uthagamandalam by enlarging the petitioner on bail, pending disposal of the above Crl.A.No.768 of 2025.

For Petitioner : Mr.S. Santha Kumar

For Respondent: Mr.V. Meganathan, Govt Advocate



ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence passed in the judgment in Spl.SC.No.65 2022 dated 27.03.2025 on the file of Sessions Judge, Mahila Needhimandram, Fast Track Court, Uthagamandalam by enlarging the petitioner on bail, pending disposal of the above CrI.A.No.768 of 2025.

2. The petitioner herein is the accused in Spl.SC.No.65 2022 dated 27.03.2025 on the file of Sessions Judge, Mahila Needhimandram, Fast Track Court, Uthagamandalam. He was found guilty of the offence under Sections 366(A) of IPC and sentenced to undergo 3 years Rigorous imprisonment along with fine of Rs.1,000/- and also convicted under Section 9 of the child Marriage Act and sentenced to undergo 3 months Rigorous imprisonment along with fine of Rs.500/- and also convicted under Section 5(1) r/w Section 6 of POCSO Act,



2012 and sentenced to undergo 20 years rigorous imprisonment along with fine of Rs.10,000/- 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 the victim girl is secured and she is under the care and custody of the parents. However, considering the nature of offence he prays to dismiss this petition.

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 Spl.SC.No.65 2022 on the file of Sessions Judge, Mahila Needhimandram, Fast Track Court, Uthagamandalam

(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 Thursday 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.



6. 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, Mahila Needhimandram, Fast Track Court, Uthagamandalam
2. The Inspector of Police, Ooty Town Central Police Station, Ooty, Nilgiris District.
3. The Superintendent, Central prison, Coimbatore



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T.V.THAMILSELVI, J.

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