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CRL MP No. 22323 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22323 of 2025 IN CRL A NO. 1794 OF 2025

RATHINASAMY

S/o.Arumugam, 2/78, Thirumurugan

Nagar, Periyayipalayam, Avinashi

Taluk, Trippur District.

Petitioner(s)

Vs

State rep by

The Inspector of Police, All Women

Police Station, Avinashi, Tiruppur

District. Cr.No.01/2023

Respondent(s)

PRAYER

To suspend the sentence imposed on the petitioner by the Judgment dated 27.10.2025 passed in Spl.S.C.NO.38 of 2023, on the file of the Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur) and enlarge the petitioner on bail, pending disposal of the above Crl.Appeal and thus render justice.

For Petitioner(s): K. Govi Ganesan

S.Sriram

M.Vishali

P.Santhosh

C.Vigneshwaran

Inian.R

Swetha.J



For Respondent: Mr.V.Meganathan, Govt
Advocate

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed on the petitioner by the Judgment dated 27.10.2025 passed in Spl.S.C.NO.38 of 2023, on the file of the Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur) and enlarge the petitioner on bail, pending disposal of the above Crl.Appeal and thus render justice.

2. The petitioner herein is the accused in Spl.S.C.NO.38 of 2023, on the file of the Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur). He was found guilty under sections 9(m) r/w Section 10 of the Protection of Children from Sexual Offences Act (POCSO Act) and 506(i) of IPC and he was convicted under Section 9(m) r/w Section 10 of the Protection of Children from Sexual Offences Act (POCSO Act) and sentenced him to undergo Rigorous imprisonment for five years and to pay a fine of Rs.10,000/- and in default to undergo six months simple imprisonment and convicted him



under Section 506(i) of IPC and to undergo two years Rigorous imprisonment.

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. 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 is directed to deposit a sum of Rs.30,000/- (Rupees Thirty thousand only), to the credit of Spl.S.C.NO.38 of 2023, on the file of the Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur), without prejudice his defence, within a period of three weeks from the date of receipt of a copy of this order.

(b) 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 Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur)

(c) 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.

(d) 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.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in Spl.S.C.NO.38 of 2023, on the file of the Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur), on proper identification, in the manner known to law.

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

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

6. Considering the fact of the case and the mental agony suffered by the victim family, this Court is inclined to refer the matter under the Victim Compensation Scheme. Accordingly, the District Legal Services Authority, Tiruppur District is directed to refer the matter to the District Collector under the said Scheme.

7. The District Collector is directed to verify whether the compensation



amount of Rs.2,00,000/- awarded by the Court below was paid to the victim

girl, if not paid the compensation should be paid within a period of two weeks

from the date of receipt of a copy of this order.

24-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To.

1. The Court of Sessions, Mahalir Needhimandram, (Fast Track Mahalir Court, Tiruppur),
2. The Inspector of Police, All Women Police Station, Avinashi, Tiruppur District.
3. The Superintendent, Central Prison, Coimbatore.
4. The Public Prosecutor, High Court, Madras.



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