

Crl.MP(MD) No.3957 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED :25.03.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.3957 of 2025

in

Crl.A(MD) No.379 of 2025

Selvaraj

... Petitioner

Vs.

State of Tamil Nadu,
Rep by the Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District.
Crime No.11 of 2021

... Respondent

For Petitioner : Mr.R.Sevugaraja
For Respondent : Mr.A.S.Abdul Kalam Azad
Government Advocate

ORDER

The petitioner/ A1 in Spl.SC.No.21 of 2022, on the file of the Special Court for Exclusive trial of Cases under POCSO Act, 2012, Sivagangai was found guilty by the trial Court and was convicted and sentenced as under:-

<https://www.mhc.tn.gov.in/judis>



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Sl.No	Sections	Punishment	Fine amount	Default
1.	450 IPC	5 years Rigorous imprisonment	Rs.2,000/-	3 months simple imprisonment
2.	5(1) r/w Section 6 of POCSO Act, 2012	20 years Rigorous Imprisonment	Rs.5,000/-	6 months simple imprisonment

As against the conviction and sentence imposed by the trial Court in Spl.C.No.21 of 2022, dated 08.09.2023, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.379 of 2025 and the same has been admitted by this Court today. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2.The learned counsel appearing for the petitioner submits the co-accused, who are similarly placed as that of this petitioner has also moved applications in Crl.MP(MD) Nos.17225 and 17305 of 2023 and 1799 of 2024 to suspend the sentence imposed on them and the same has been considered by this Court and the sentence imposed on them has been suspended on 03.03.2025. He has also furnished a copy of the above order. The learned counsel further submits that the petitioner is in jail for the past 19 months.

3.This Court has perused the Statement of the victim recorded under Section



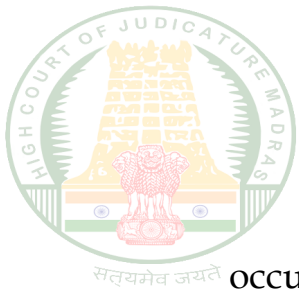
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4. Considering that the petitioner has raised certain arguable points, which can be considered only during the final hearing of the appeal, however the appeal could not be taken up for final hearing immediately, for want of time, considering the period of incarceration and since this Court has already granted suspension of sentence to the co-accused, this Court is inclined to suspend the sentence imposed on the petitioner with certain conditions.

5. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on the following conditions:-

- i. The petitioner shall execute a 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 Special Court for exclusive trial of cases under POCSO Act, Sivagangai.
- ii. The petitioner shall stay at Trichy and report before the Inspector of Police, Uppiliyapuram Police Station, Trichy, daily at 10.30 a.m., till the disposal of the appeal.
- iii. The petitioner shall file an affidavit of undertaking before the respondent police as well as before the trial Court that he will not visit the place of



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occurrence and also the victim till the disposal of the appeal.

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iv. In the event, if the petitioner has violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

sd/-
25/03/2025

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/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vrn

To

- 1.The Judge, Special Court for Exclusive trial of Cases under POCSO Act,
Sivagangai.
- 2.The Inspector of Police,
All Women Police Station,
Thiruppathur,
Sivagangai District.
- 3.The Inspector of Police,
Uppiliyapuram Police Station,
Trichy.
- 4.The Superintendent,
Central Prison,
Madurai.



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5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.R.SEVUGARAJA, Advocate (SR-3398[I] dated 25/03/2025)

ORDER

IN

CRL MP(MD) No.3957 of 2025

Date :25/03/2025

MK/SAR /25.03.2025 5P/7C

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