



Crl.M.P.(MD).No.4937 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
DATED: 17.04.2025

CORAM:

THE HON'BLE MR.JUSTICE B.PUGALENDHI

Crl.M.P.(MD).No.4937 of 2025

in

Crl.A.(MD).No.210 of 2023

Ravichandran

... Petitioner(s)

Vs

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
All Woman Police Station,
Manapparai.
(Crime No:04 of 2019)

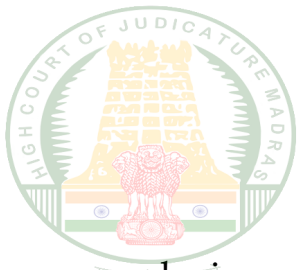
... Respondent(s)

For Petitioner : Mr.T.A.Omprakash

For Respondent : Mr.A.S.Abul Kalam Azad
Government Advocate

ORDER

The petitioner is accused no.1 in Spl.S.C.No.38 of 2019 on the file of the learned Sessions Judge, Mahila Court, Trichy. He was tried for the offence under Section 7 read with 8 of the POCSO Act. The prosecution was also laid against the petitioner's parents and sisters that they have criminally intimidated the defacto complainant. In



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conclusion of the trial, the trial Court acquitted the other accused and found this
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petitioner guilty, convicted and sentenced him as under:-

Offence under Section	Sentence
9(n) r/w 10 of POCSO Act	Convicted and sentenced to undergo 5 years rigorous imprisonment with a fine of Rs.5,000/-, in default to undergo 6 months simple imprisonment
506(1) of IPC	Acquitted

2. As against the conviction and sentence imposed by the trial Court, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.210 of 2023 and the same has been admitted by this Court. The petitioner has also filed an application to suspend the sentence imposed on him in Crl.M.P.(MD)No.13306 of 2023 and the same was dismissed. This is the second application.

3. The case of the prosecution is that the petitioner viz., the father of the victim girl has misbehaved with his daughter/PW1/victim girl on 30.04.2019 and a written complaint was lodged by PW1/victim girl. This written complaint admittedly was prepared in an advocate office. The complaint was also lodged after ten days from the date of occurrence.

4. The learned counsel for the petitioner submits that this petitioner is in jail



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from the date of conviction i.e., on 28.01.2023. According to him, there was an intimacy between PW2 and PW9. The petitioner has also attempted to commit suicide in the year 2017, however, he was rescued. In order to prevent this petitioner in disturbing with the affairs of PW2 with PW9, this compliant has been foisted at the instance of PW9.

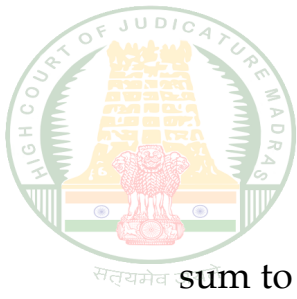
5. He further submits that PW13 brother of the victim girl has admitted in his evidence that on the instigation of PW9 only this complaint has been foisted.

6. The learned Government Advocate (Crl.Side) appearing for the respondent submits that the petitioner came to home in an inebriated condition on 30.04.2019 and assaulted the victim girl/PW1. The complaint was lodged on 10.05.2019. Therefore, he vehemently opposed to grant bail to the petitioner.

7. This Court considered the rival submissions made and perused the materials available on records.

8. 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 for want of time. Considering the period of incarceration, this Court is inclined to suspend the sentence imposed on this petitioner. Accordingly, the sentence has been suspended with the following conditions:-

- i. The petitioner shall furnish two sureties for a sum of Rs.50,000/- each for a like



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- sum to the satisfaction of the learned Sessions Judge, Mahila Court, Trichy;
- ii. The petitioner along with two sureties shall file an affidavit before the respondent police with an undertaking that the petitioner will not visit the scene occurrence village and will not cause any disturbance to PW1 and PW2, pending disposal of the appeal;
- iii. The petitioner shall stay at Palayamkottai and report before the Inspector of Police, Palayamkottai Police Station, Tirunelveli District – 627 002, daily at 10.30 a.m., until further orders;
- iv. In any event, if the petitioner violates the condition, this order would be recalled and the respondent police shall move an application for cancellation of bail.

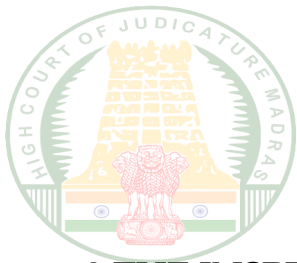
sd/-
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24/04/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

RGM
TO
1 THE SESSIONS JUDGE,
MAHILA COURT, TIRUCHIRAPPALLI.

2 THE SUPERINTENDENT,
CENTRAL PRISON,
TRICHY.



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3 THE INSPECTOR OF POLICE,
ALL WOMAN POLICE STATION,
MANAPPARAI.

4 THE INSPECTOR OF POLICE,
PALAYAMKOTTAI POLICE STATION,
TIRUNELVELI DISTRICT-627 002.

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

ORDER
IN
Crl.M.P.(MD).No.4937 of 2025
in
Crl.A.(MD).No.210 of 2023
Date :17/04/2025

SA/SAR. /24.04.2025/5P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.