



**CRL MP(MD) NO. 6466 of 2025**

**WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED: 14-05-2025**

**CORAM**

**THE HONOURABLE MR.JUSTICE K.RAJASEKAR**

**CRL MP(MD) NO. 6466 of 2025**

**in**

**CRL A(MD) NO. 574 of 2025**

Suriya Rajan  
S/o.John Kennady,  
Kathirvel Nagar, 4<sup>th</sup> Street,  
Thoothukudi

Petitioner(s)

**Vs**

The State of Tamil Nadu,  
Rep. by the Inspector of Police,  
The Inspector of Police,  
All Women Police Station,  
Thoothukudi District.  
(Crime No.24 of 2019)

Respondent(s)

**For Petitioner(s):**

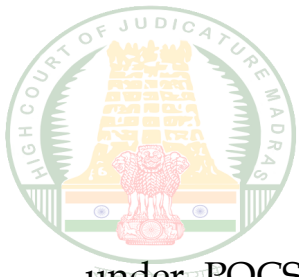
Mr.P.Pethu Rajesh

**For Respondent(s):**

Mr.E.Antony Sahaya Prabahar  
Additional Public Prosecutor

**ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner/A2 by the Special Court for Exclusive Trial of Cases



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under POCSO Act, Thoothukudi in Spl.S.C.No.88 of 2019 dated 08.04.2025 and  
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enlarge the petitioner on bail.

2. The learned counsel for the petitioner/appellant submitted that the petitioner/appellant has been convicted by the learned Special Judge, the Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi for the offences punishable under Section 12 of the Protection of Children from Sexual Offences (POCSO) Act, 2012 and sentenced him to undergo rigorous imprisonment for a period of three years and to pay a fine of Rs.2,000/- (Rupees Two Thousand) in default to undergo simple imprisonment for a further period of one months and also convicted the petitioner under Section 294(b) of the IPC and sentenced him to undergo rigorous imprisonment for a period of one month and under Section 506(i) of the IPC, he was sentenced him to undergo rigorous imprisonment for a period of three months in Spl.S.C.No.88 of 2019 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi.

3. Further, the learned counsel for the petitioner/appellant submitted that the major offence against the petitioner is that he captured the pictures of the victim without her permission and he has not committed any serious offences against the victim girl. He further submitted that there are suppression of vital materials by the prosecution and the petitioner has also not given proper legal assistance. There are



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several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses.

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4. The learned Additional Public Prosecutor submitted that and there are enough materials available on record against the petitioner/appellant as per the evidence adduced by the prosecution and there is no infirmity in the prosecution case. Further, there is no previous case pending against the petitioner. However, he prays for dismissal of this petition.

5. This Court has carefully considered the contentions made and also perused the materials available on record.

6. The learned counsel for the petitioner/appellant pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars and there is no previous case pending against the petitioner.

7. Considering the fact that there are arguable points involved in this criminal appeal and further the criminal appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein/appellant is entitled to the relief of grant of suspension of sentence.

8. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the appeal and the petitioner/appellant is directed to be enlarged on bail on condition that on



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petitioner/appellant executing 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 Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi and on further condition that the petitioner shall appear before the Trial Court once in a month on the 1<sup>st</sup> working day of every English Calender month at 10.30 a.m., until further orders.

sd/-  
14/05/2025

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/05/2025  
Sub-Assistant Registrar  
( C.S. I / II / III / IV )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.

mac  
To

- 1.The Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi
- 2.The Superintendent,Central Prison, Palaymkottai.
- 3.The Inspector of Police, All Women Police Station, Thoothukudi District.
- 4.The Additional Public Prosecutor,Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.P.PETHU RAJESH, Advocate ( SR-5565[I] dated 15/05/2025 )



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ORDER

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Date :14/05/2025

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