



CRL MP(MD) NO. 6591 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22-05-2025

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CRL MP(MD) NO. 6591 of 2025

IN

CRL A(MD) NO. 596 OF 2025

Vasanth @ Vasantha Kumar
S/o. Sivakumar, Malangkovil,
Thirukampuliyur, Karur District.

Petitioner(s)

Vs

The State of Tamilnadu
Rep. by The Inspector of Police, All Women Police Station,
Karur, Karur District. (In Crime No. 13/2020)

Respondent(s)

For Petitioner(s):

A.P.Muthupandian

For Respondent(s):

P.Kottaichamy

Government Advocate (Crl. Side)

ORDER

This petition has been filed under Section 430 of BNSS, 2023 @ 389(1) of Cr.P.C., praying to suspend the sentence imposed in Spl.S.C.No.40 of 2021, dated 16.04.2025, passed by the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur, and to grant bail to the petitioner, pending disposal of the Criminal Appeal. The petitioner herein is accused No.3 before the Special Court.



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2.The case of the prosecution is that on 06.08.2020, at about 05.00 pm., when the victim stood at the Mini Bus-stand, the accused 1 and 2 came there, kidnapped her to another place, abused her and made her nude. At that time, the other accused 4 to 6 came there and the petitioner/third accused shoot her nude body in his mobile phone and threatened her to share the video through whats-app and the accused 4 to 6 attached the accused 1 and 2. Hence, the complaint.

3.The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment on 16.04.2025, convicting the petitioner for the offence under Section 15 of POCSO Amended Act, 2019, sentenced to undergo simple imprisonment for a period of three years to pay a fine of Rs.1000/- in default to undergo simple imprisonment for a period of one month and further sentenced to undergo simple imprisonment for a period of one year and to pay a sum of Rs.1000/- fine, in default to undergo one month simple imprisonment under Section 506(i) of IPC and sentenced to undergo simple imprisonment for a period of three months under Section 352 of IPC and further sentenced to undergo simple imprisonment for a period of three months under Section 294(b) of IPC.



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4.The learned counsel for the petitioner would submit that after the judgment was rendered, the petitioner had filed an application in Crl.M.P.No.138 of 2025 before the trial Court to suspend the sentence and the same was allowed by the trial Court and thereby, sentence of imprisonment alone has been suspended till 15.05.2025.

5.The learned Government Advocate (Crl.side) would fairly concede that the trial Court has suspended the sentence of imprisonment alone till 15.05.2025.

6.This Court has carefully considered either sides submissions and perused the materials available on record.

7.Considering the fact that the trial Court has already suspended the sentence of imprisonment imposed to the petitioner till 15.05.2025 and the fact remains that there are arguable points involved in this criminal appeal and also considering the facts and circumstances of the case, this Court is of the prima facie view that the sentence is to be suspended pending this Criminal Appeal.

8.Accordingly, this Criminal Miscellaneous Petition is allowed. The sentence of imprisonment imposed by the Additional Sessions Judge, (Fast Track Mahila Court), Karur, in Spl.S.C.No.40 of 2021, dated 16.04.2025 is alone suspended subject to the following conditions:-

- i) The petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the



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satisfaction of the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur.

ii) The petitioners shall appear and sign before the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur, on the first working day of every English calender month at 10.30 a.m., until further orders.

iii) In case, the petitioners are unable to appear before the Court on the first working day of a month, they shall appear on the next working day.

iv) The petitioners shall furnish their residential address and mobile number to the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur.

v) The petitioners shall not enter into the victim's residence or her work place.

sd/-
22/05/2025

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

jbr



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To 1. The Additional Sessions Judge (Fast Track Mahila Court), Karur.

2. The Inspector of Police,
All Women Police Station,
Karur District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.A.P.MUTHUPANDIAN, Advocate (SR-5711[I] dated 22/05/2025)

ORDER

IN

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IN

CRL A(MD) NO. 596 OF 2025

Date :22/05/2025

MK/28.05.2025 5P/5C

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