



CRL MP(MD) NO. 8962 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.07.2025

CORAM

THE HONOURABLE Dr.JUSTICE R.N.MANJULA

CRL MP(MD) NO. 8962 of 2025

IN

CRL A(MD) NO.750 OF 2025

Algees Amalraj

Petitioner(s)

Vs

State Represented through
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
(Crime No.35 of 2018)

Respondent(s)

For Petitioner(s):

Mr.V.Kathiravan, senior counsel
for Mr.J.Parekh Kumar

For Respondent(s):

Mr.A.Albert James
Government Advocate (Crl. Side)

PRAYER: This Petition is filed under Section 430(1) of BNSS praying to suspend the execution of sentence by granting bail in Spl.C.C.No.72/2019 dated 16.06.2025 on the file of the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli District pending disposal of the above Criminal Appeal.



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ORDER

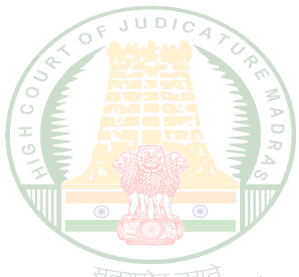
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The Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli District, dated 16.06.2025 in Spl.C.C.No.72/2019 till the disposal of appeal.

2.The petitioner / appellant is the sole accused, who has been convicted and sentenced in the following manner:

Rank of the Accused	Charges framed	Conviction	Punishment
Sole Accused	u/s. 12 and 10 of POCSO and Sec 506(i), 354A (1)(iv) (7 counts), 294(b) IPC and Sec. 4 of TNPWH Act	u/s 354 A (1) (iv) IPC, 509 IPC (2 counts), u/s.11(i) r/w 12 POCSO and Sec. 4 of TNPWH Act	354 A (1)(iv) IPC - 3 months RI
			509 (2 counts) IPC - 3 months RI each
			11(i) r/w 12 POCSO - 1 year RI with Rs.10,000/- fine, in default 3 months RI.

3.The learned counsel for the petitioner / accused submitted that the accused, who is the Teacher of PW3 - victim child has playfully teased his students and he did not have any sexual intention. It is further submitted that the victim has stated in her



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evidence that the accused told her that he would marry her by divorcing his wife and that statement was made in front of other students and hence, the intention of accused cannot be sexual; the accused was having the habit of interacting with the Students in a playful manner and that was misconstrued by the defacto complainant.

4. On perusal of the Judgment, the learned Sessions Judge had extracted the statements given by the students including the victim and dealt the matter at length. As there is no possibility of taking up the appeal within a short period and also taking into consideration of the fact that the sentence imposed against the petitioner has already been suspended by the Trial Court till 15.07.2025 and also the grounds made out to admit this appeal and also considering the fact that the accused has been making his appearance promptly without any default during the trial, I feel it is appropriate to suspend the sentence alone on conditions. Accordingly, the substantive part of the sentence alone is suspended on the following conditions:

- i. that 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 learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli District;
- ii. that the petitioner shall appear before the said Court once in a month (i.e., on the first working day of every English Calender month) at 10.30 a.m. till the



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disposal of appeal.

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5. Accordingly, this Criminal Miscellaneous Petition is allowed.

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

TO

1 THE SESSIONS JUDGE, SPECIAL COURT FOR POCSO ACT CASES,
TIRUNELVELI.

2 THE INSPECTOR OF POLICE, VEERAVANALLUR POLICE STATION,
TIRUNELVELI DISTRICT.

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

+1 CC to M/s.J.PAREKHKUMAR, Advocate (SR-7722[I] dated 17/07/2025)

ORDER

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Date :17/07/2025

NBF/SAR- /21/07/2025/ 4P/5C

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