



*Crl.M.P.(MD)Nos.13887 and 17980 of 2025
in Crl.A.(MD)No.1071 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Reserved on : 21.11.2025

Pronounced on : 28.11.2025

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) Nos.13887 and 17980 of 2025

in

CRL A(MD) No.1071 of 2025

Crl.M.P.(MD)No.13887 of 2025

Ananthakumar

**Petitioner/
Appellant**

Vs

1.State of Tamil Nadu, represented by
The Inspector of Police,
AWPS, Tirunelveli Town Police Station,
Tirunelveli District.
(Crime No.05 of 2020)

2.K.Jayalakshmi

Respondents

*(R2 is impleaded as per order of this Court dated 10.10.2025 in
Crl.M.P.(MD)No.14122 of 2025 in Crl.A.(MD)No.1071 of 2025)*

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Crl.M.P.(MD)No.17980 of 2025

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K.Jeyalakshmi

**Petitioner/
Respondent No.2**

Vs

1.State of Tamil Nadu
The Inspector of Police,
All Women Police Station,
Tirunelveli Town Police Station,
Tirunelveli District.
(Crime No.05 of 2020)

**1st Respondent/
Complainant**

2.Ananthakumar

**2nd Respondent/
Accused No.1**

Prayer in CRL MP(MD).13887 of 2025 : This Criminal Miscellaneous Petition filed under Section 430(2) B.N.S.S. praying to suspend the sentence of imprisonment imposed in Spl.C.C.No.57 of 2020 on the file of the Special Court for POCSO Act cases, Tirunelveli, Tirunelveli District, dated 07.08.2025 and enlarge on bail pending disposal of the above said criminal appeal.

Prayer in CRL MP(MD).17980 of 2025 : This Criminal Miscellaneous Petition filed under Section 483(3) B.N.S.S. praying to cancel the suspension of sentence / bail which was granted by this Court dated 10.10.2025 in Crl.M.P.(MD)No.13887 of 2025 in Crl.A.(MD)No.1071 of 2025 within time stipulated by this Court.

Prayer in CRL A(MD).1071 of 2025 : This Criminal Appeal filed under Section 415 B.N.S.S. praying to call for records relating to the impugned judgment of



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conviction and sentence passed by Special Court for POCSO Act cases, Tirunelveli, Tirunelveli District in Spl.C.C.No.57 of 2020 dated 07.08.2025 and to set aside the same and to acquit the appellant / accused from all the charges framed against him by allowing the above criminal appeal.

(in Crl.M.P.(MD)No.13887 of 2025)

For Petitioner: Mr.M.Dhinakar

For Respondents: Mr.K.Gnanasekaran,
Government Advocate (Criminal Side) for R1

Mr.I.Pinaygash for R2

(in Crl.M.P.(MD)No.17890 of 2025)

For Petitioner: Mr.I.Pinaygash

For Respondents: Mr.K.Gnanasekaran,
Government Advocate (Criminal Side) for R1

Mr.M.Dhinakar for R2

COMMON ORDER

The Criminal Miscellaneous Petition in Crl.M.P.(MD)No.13887 of 2025 has been filed to suspend the sentence imposed on the petitioner / sole accused by the learned Sessions Judge, Special Court for POCSO Act cases, Tirunelveli, in Spl.C.C.No.57 of 2020 dated 07.08.2025, till the disposal of the criminal appeal.



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2. The Criminal Miscellaneous Petition in Crl.M.P.(MD)No.17980 of 2025 has been filed to cancel the interim suspension of sentence granted by this Court in Crl.M.P.(MD)No.13887 of 2025 in Crl.A.(MD)No.1071 of 2025 dated 10.10.2025.

3. For the sake of convenience and brevity, the parties will be referred to as per their status / ranking in Crl.M.P.(MD)No.13887 of 2025.

4. The case of the prosecution is that on 09.03.2020 at about 11.30 a.m., when the victim girl, who is aged 14 years, was getting ready to go to school, the petitioner / sole accused trespassed into the victim girl's house and caught hold of her hands and proposed love to her and by pressing her hands, stated that she should marry him, otherwise he would kill her, for which, the victim girl, by pushing the petitioner, ran out from the house and on the basis of the complaint given by the victim girl's mother, FIR came to be registered in Crime No.05 of 2020 for the offences under Sections 341 and 506(1) IPC and Section 7 r/w 8 of Protection of Child from Sexual Offences Act, 2012 (hereinafter referred as 'POCSO Act').



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5. The respondent police, after completing the investigation, has filed a final report and the case was taken on file in Spl.C.C.No.57 of 2020 on the file of the Special Court for POCSO Act Cases, Tirunelveli.

6. During trial, the prosecution examined 13 witnesses as P.W.1 to P.W.13 and exhibited 14 documents as Ex.P.1 to Ex.P.14. The defence adduced neither oral nor documentary evidence.

7. The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, passed the impugned judgment dated 07.08.2025 convicting the petitioner for the offences under Section 11 r/w 12 of POCSO Act and Sections 452, 506(1) and 341 IPC and sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.5,000/-, in default to undergo rigorous imprisonment for three months for the offence under Section 11 r/w 12 of POCSO Act; to undergo rigorous imprisonment for one year and to pay a fine of Rs.5,000/-, in default to undergo rigorous imprisonment for three months for the offence under Section 452 IPC; to undergo rigorous imprisonment for three months for the offence under Section 506(1) IPC



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and to undergo rigorous imprisonment for one month for the offence under Section 341 IPC. The above sentences were ordered to be run concurrently. Aggrieved by the impugned judgment of conviction and sentence, the sole accused has preferred the present Criminal Appeal along with the above miscellaneous petition for suspension of sentence.

8. It is not in dispute that the trial Court on the date of judgment suspended the sentence till 05.09.2025 and subsequently, at the instance of the petitioner, suspension order was extended till 19.09.2025 and thereafter till 03.10.2025 by the trial Court.

9. When the above petition for suspension of sentence was taken up for hearing on 10.10.2025, taking note of the fact that the trial Court has already suspended the sentence and this Court has ordered notice to the newly impleaded second respondent, has passed an order granting interim suspension till 28.10.2025. When the matter was subsequently taken up for hearing, considering the submission made by the learned counsel appearing for the second respondent that the petitioner has been threatening the victim in drunken mode and hence, the



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second respondent was constrained to lodge a complaint along with mobile recording and on that basis, FIR was registered, for which, the learned counsel appearing for the petitioner submitted that the petitioner never threatened the victim and that when he was restrained by his family members that was taken in the cell phone and on that basis, complaint was lodged, this Court directed the first respondent police to submit a report. In pursuance of the same, the first respondent police submitted a status report stating that subsequent to the judgment, the petitioner was involved in two cases, one in Crime No.132 of 2025 under Sections 115(2), 296(b) and 351(3) BNS and Section 4 of TNPHW Act and second one in Crime No.211 of 2025 under Sections 296(b) and 351(2) BNS and Section 4 of TNPHW Act, that since the petitioner threatened the victim and her mother and harassed them, on the basis of the complaint given by the second respondent, the second case in Crime No.211 of 2025 was registered and that since the petitioner during the suspension of punishment has been threatening the victim and her mother and is involved in other criminal activities, interim suspension already granted may be cancelled.

10. Meanwhile, the second respondent filed the above petition in Crl.M.P.



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(MD)No.17980 of 2025 alleging the registration of FIR in Crime No.211 of 2025 and the alleged threatenings and claimed the cancellation of interim suspension order dated 10.10.2025 granted by this Court.

11. The learned counsel appearing for the petitioner would submit that there was no such occurrence as alleged by the second respondent, that the petitioner never threatened the victim or her family members subsequent to the impugned judgment, that when the petitioner was restrained by his family members that was recorded in the mobile phone and that was given before the police and without verifying the alleged occurrence, the said FIR came to be registered, that the second respondent and her family members with sole intention to send the petitioner to jail again and to stop this Court from extending the suspension order, have levelled false allegations and lodged the above complaint and that the petitioner is ready to abide any condition to be imposed by this Court.

12. Considering the rival claims with regard to the alleged threatenings, status report was called for from the first respondent police and according to them, the petitioner was involved in two criminal occurrence, for which, two FIRs came



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to be registered against them. According to the prosecution, since the petitioner has been threatening the victim and her mother, they were constrained to lodge the complaint along with video footage and FIR in Crime No.211 of 2025 was registered and is now under investigation.

13. Considering the above facts and circumstances, taking note of the two criminal cases registered subsequent to the impugned judgment and also the objections raised by the second respondent and the first respondent police, this Court is not inclined to extend the suspension of sentence granted to the petitioner and the interim suspension already granted is hereby cancelled.

14. In the result,

(i) the Criminal Miscellaneous Petition in Crl.M.P.(MD)No.13887 of 2025 is dismissed. The petitioner is directed to surrender before the concerned Court within a month from the date of receipt of a copy of this order, failing which, the learned trial Judge is directed to take necessary steps to secure the petitioner and to commit him to prison to undergo the sentence imposed.

(ii) in view of the order passed in Crl.M.P.(MD)No.13887 of 2025, the



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Criminal Miscellaneous Petition in Crl.M.P.(MD)No.17980 of 2025 is closed.

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28-11-2025

CSM

To

- 1.The Sessions Judge,
Special Court for POCSO Act cases,
Tirunelveli.
- 2.The Inspector of Police,
All Women Police Station,
Tirunelveli Town Police Station,
Tirunelveli District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.