

Crl.M.P.(MD)No.14218 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.MURALI SHANKAR

Crl.M.P(MD)No.14218 of 2025

in

Crl.A(MD)No.1092 of 2025

Mohanraj

: Petitioner

Vs.

State of Tamil Nadu rep. by the Inspector of Police,
Dindigul Rural All Women Police Station,
Dindigul District.
Crime No.18 of 2024.

: Respondent

PRAYER : Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence of imprisonment imposed in Spl.S.C.No.92 of 2024 on the file of the Fast Track Mahila Court, Dindigul District, dated 15.09.2025 and enlarge the petitioner/appellant on bail pending disposal of the above appeal.

For Petitioner : Mr.M.Venkatesan,

For Respondent : Mr.K.Gnanasekaran,
Government Advocate (criminal Side)



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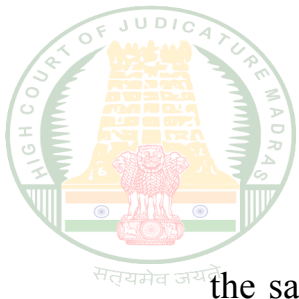
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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in Spl.S.C.No.92 of 2024 on the file of the Fast Track Mahila Court, Dindigul District, dated 15.09.2025 and enlarge the petitioner/appellant on bail pending disposal of the above appeal.

2. The case of the prosecution is that on 09.03.2025, when the victim girl was alone in her home, the accused trespassed into the house and caught hold of her hands and proposed love to her and also misbehaved with her; that the victim girl raised alarm, the neighbors came there and tried to rescue her from him and that when the victim's father came there, there arose dispute between them, the accused pushed him down and also caused injuries. On the basis of the complaint lodged by the defacto complainant, FIR came to be registered in Crime No.18 of 2024 for the offences under Sections 451, 506(1) IPC and Section 8 of POCSO Act.

3. The respondent police, after completing the investigation, has filed the final report and the case was taken on file in Spl.S.C.No.92 of 2024 and



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the same was pending on the file of the Fast Track Mahila Court, Dindigul District.

4. During trial, the prosecution examined 9 witnesses as P.W.1 to P.W.9 and exhibited 20 documents as Ex.P.1 to Ex.P.20. The defence side examined three witnesses as D.W.1 to D.W.3 and exhibited one document as Ex.D.1.

5. The learned Special Judge, upon considering the evidence, both oral and documentary and on hearing the arguments on both the sides, has passed the impugned judgment dated 15.09.2025 convicting the petitioner/accused for the offence under Section 451 of IPC and sentenced him to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo three months simple imprisonment; for the offence under Section 8 of Protection of Children from Sexual Offences Act 2012 and sentenced him to undergo three years rigorous imprisonment and to pay a fine of Rs.4,000/- in default, to undergo six months simple imprisonment and acquitted him for the offence under Section 506(i) IPC. The Trial Court has suspended the sentence imposed on the petitioner till the filing of the appeal. Challenging



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the above said conviction and sentence, the petitioner has preferred the present Criminal Appeal along with the above Miscellaneous Petition seeking suspension of sentence.

6. The learned Government Advocate (Criminal Side) appearing for the State would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.

7. The learned counsel appearing for the petitioner would submit that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses. He would further submit that the petitioner has already paid the fine amount.

8. This Court has carefully considered the rival contentions put forward by the learned counsel for the petitioner as well as the learned Government Advocate (Criminal side) appearing for the State and also perused the materials available on record.



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9. The learned counsel appearing for the petitioner pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains 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 and considering the health issues, this Court is of the view that the petitioner herein is entitled to the relief of suspension of sentence.

10. In the result, the Criminal Miscellaneous Petition is ordered. Accordingly, the relief of suspension of sentence and bail is granted to the petitioner on the following conditions :

(i) the petitioner is directed to 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, Fast Track Mahila Court, Dindigul ;

(ii) the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Trial Judge may obtain a copy of any valid identity proof to ensure their identity ;



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(iii) The petitioner shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 of Cr.P.C (355 of BNSS) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

14.10.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
das

To

- 1.The Sessions Judge, Fast Track Mahila Court,
Dindigul.
- 2.The Inspector of Police,
Dindigul Rural All Women Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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K.MURALI SHANKAR,J.

das

Order made in
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in
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Dated: 14.10.2025