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Crl.M.P.No.2946 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**CRL MP No. 2946 of 2026
in CRL A No. 194 of 2026**

S.Kumaran
S/o.Singaram,
No. 22/6, Chittoran Street,
Pernambut, Gudiyatham,
Vellore District- 635 810.

... Petitioner (s)

Vs.

State of Tamilnadu Represented by
The Inspector of Police
Pernambut Police Station,
Vellore District.
Crime No. 55 of 2025.

...Respondent(s)

PRAYER: Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS r/w 389(1) of Cr.P.C., to suspend the sentence imposed by the learned Special Court under POCSO Act, Vellore in Spl.S.C.No. 67 of 2025 vide judgment dated 19.01.2026 and release the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner (s): Mr.M.R.Thangavel

For Respondent(s): Mr.S.Balaji
Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the conviction and sentence passed by the the learned Sessions Judge, the Special Court for Exclusive Trial of Cases under POSCO Act, Vellore, in Spl.S.C.No.67 of 2025 dated 19.01.2026 pending disposal of the above criminal appeal.



2. The petitioner/Accused in Spl.S.C.No.67 of 2025 was convicted and sentenced by the Trial Court by judgment dated 19.01.2026 as follows:

under Section	Sentence imposed
11(i) r/w 12 of POCSO Act, 2012	To undergo RI for 2 years and to pay a fine of Rs.10,000/-, (id) 3 months SI.

3. Aggrieved by the same, the petitioner filed Crl.A.No.194 of 2026 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

4. It is the case of the prosecution that the petitioner had committed sexual harassment to the victim girl and her mother by abusing them in filthy language and also by making inappropriate gestures on 21.02.2025.

5. The learned counsel appearing for the petitioner would submit that there are several arguable points in the above appeal; and that the sentence of imprisonment has been suspended by the trial Court; and hence, prayed for grant of suspension of sentence to the petitioner.

6. Heard the learned Government Advocate (Crl. Side) appearing



for the respondent police.

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7. Considering the submissions made by the learned counsel for the petitioner that there are arguable points in the above appeal; that the sentence imposed on the petitioner is two years; and that the appeal is not likely to be taken in near future, this Court is inclined to suspend the sentence imposed on the petitioner on the following conditions till the disposal of the criminal appeal.

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge/ Special Court to deal with cases related to POCSO Act, Vellore;
- (ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal 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 Cr.P.C. 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.



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To

1. The Special Court to deal with cases related to POCSO Act, Vellore.
2. The Inspector of Police,
Pernambut Police Station,
Vellore District.
3. The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN J.
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