



Crl.M.P.No.3566 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.3566 of 2026
in Crl.A.No.222 of 2026

Palanisamy

... Petitioner/Accused

Vs.

State rep. By
The Inspector of Police,
All Women Police Station,
Pollachi, Coimbatore
Crime No.33 of 2022

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 of BNSS., pleased to suspend the sentence imposed on the petitioner in Spl.S.C.No.140 of 2023 dated 29.01.2026 by the learned Principal Special Court for POCSO Act Cases, Coimbatore and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.N.ArunKumar

For Respondent : Mr.S.Balaji

Government Advocate (Crl.Side)



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner/accused, seeking suspension of sentence, imposed by the learned Principal Special Court for POCSO Act Cases, Coimbatore, vide judgment in Spl.S.C.No.140 of 2023 dated 29.01.2026.

2. The petitioner/accused in Spl.S.C.No.140 of 2023 was convicted by the Trial Court by judgment dated 29.01.2026 for the following offence:

<i>Under Section</i>	<i>Sentence</i>
11(i), 11(iii), 11(iv) r/w Section 12 of POCSO Act, 2012	R.I for 3 years and fine of Rs.5,000/-, I/d undergo S.I for 6 months

3. Aggrieved by the same, the petitioner has preferred Crl.A.No.222 of 2026 before this Court along with the instant criminal miscellaneous petition.

4. The case of the prosecution is that the petitioner and the grandfather of the victim girl were friends; that the victim girl, aged 10 years, used to visit the house of the petitioner; that on one such occasion, the petitioner is alleged to have exhibited phonographic videos to the victim girl and thus, the petitioner committed the aforesaid offence.



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5. The learned counsel for the petitioner/accused submitted that the trial Court has suspended the sentence imposed on the petitioner for a period of 30 days; and that the petitioner has raised substantial grounds in the appeal, which requires consideration and considering the fixed term of imprisonment, prayed for suspension of sentence pending disposal of the appeal.

6. Heard the learned Government Advocate (Crl. Side) appearing for the respondent and perused the counter affidavit available on record.

7. Having regard to the fact that the trial Court had already suspended the sentence for a limited period; that the petitioner has raised substantial grounds in the appeal, and that the appeal is not likely to be taken up for hearing in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

8. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above criminal appeal and the petitioner is ordered to be released on bail on the following conditions:



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- i.The petitioner 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 satisfaction of the learned Principal Special Court for POCSO Act, Cases Coimbatore;
- 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.

27.02.2026

Anu

Note:Issue order copy on 27.02.2026

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To
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1. The Principal Special Court for POCSO Act, Cases Coimbatore
2. The Inspector of Police,
All Women Police Station,
Pollachi, Coimbatore
3. The Public Prosecutor,
High Court of Madras.



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SUNDER MOHAN, J.

Anu

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in
Crl.A.No.222 of 2026

27.02.2026