



**ORDER**

This Miscellaneous Petition has been filed for suspension of the sentence under Section 389(1) of Cr.P.C., / 430(1) of the Bharatiya Nagarik Suraksha Sanhita Act, 2023 pursuant to the Judgment of the learned Principal Judge, Special Court under POCSO Act, Coimbatore dated 25.11.2025 in Spl.S.C.No.58 of 2024.

2. The Petitioner is the 2<sup>nd</sup> accused in the above case, she along with her son who was aged about 18 years and 7 months have been convicted by the Trial Court for the Offences under Sections 343, 366A of IPC and Section 6 read with Section 16 and 17 of POCSO Act, 2012.

3. The punishment imposed on the Petitioner/Appellant-A2 by the Trial Court vide it's conviction dated 25.11.2025 are as follows:-

| <b>Sections under which the Petitioner/Appellant-A2 is convicted</b>   | <b>Punishment</b>                                                                                                                |
|------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------|
| Section 6 read with Section 16 read with Section 17 of POCSO Act, 2012 | Rigorous Imprisonment for a period of 20 years and fine of Rs.10,000/-, failing which Simple Imprisonment for a period of 1 year |
| Section 366A of the Indian Penal Code, 1860                            | Rigorous Imprisonment for a period of 10 years and fine of Rs.10,000/-, failing which Simple Imprisonment for a period of 1 year |
| Section 343 of the Indian Penal Code, 1860                             | Rigorous Imprisonment for a period of 2 years and fine of Rs.5,000/-, failing which Simple Imprisonment for a period of 6 months |

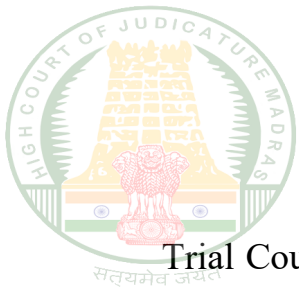


4. At the time of the Offence, the victim was aged about 17 years and 1 month, residing at Kovai. Whereas, the Petitioner/Appellant-A2 and her son/A1 were resident of Kundrathur, Chennai.

5. It appears that the victim and the Petitioner/Appellant-A2's son got to know each other through Instagram and had developed intimacy and that the victim left Kovai and travelled all the way to Chennai to be with the Petitioner/Appellant-A2's son who was reportedly married at the same time to PW2, who is also aged about 17 years at the time of the commission of the Offence.

6. The allegation against the Petitioner/Appellant-A2 is that the Petitioner/Appellant-A2 has sheltered the Petitioner/Appellant-A2's son, as also the victim, and thereby facilitated the commission of the Offences for which the Petitioner/Appellant-A2 and her son/A1 have been accused.

7. The learned counsel for the Petitioner/Appellant-A2 drew attention to the Statement recorded under Section 164(5) of Cr.P.C before the Magistrate on 18.10.2023 and the deposition of the victim/PW1 who was aged 19 years at the time of recording of evidence before the Trial Court on 11.12.2024.

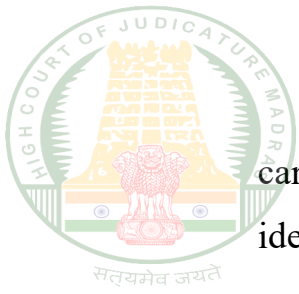


8. Having perused the records and the Impugned Judgment of the Trial Court sentencing the Petitioner/Appellant-A2 to the above Offences, I am of the view that the Petitioner/Appellant-A2 has made out a *prima facie* case for distancing herself from the punishment and the sentence imposed by the Trial Court. It is also noticed that the Petitioner/Appellant-A2 has already undergone incarceration for a period of 9 months which includes incarceration prior to the trial during investigation of this case.

9. Considering the facts and circumstances of the case and also the submissions made by the learned counsel for the Petitioner/Appellant-A2 and the learned State Public Prosecutor for the Respondent, I am of the view that the sentence of imprisonment can be suspended and the Petitioner/Appellant-A2 can be granted bail on conditions. Accordingly, pending disposal of the appeal, the sentence is suspended and the Petitioner/Appellant-A2 is enlarged on bail, subject to the following conditions:-

(i) The Petitioner/Appellant-A2 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 Judge, Special Court under POCSO Act, Coimbatore.

(ii) The Petitioner/Appellant-A2 and the sureties shall affix their photographs and Left Thumb Impressions 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;

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(iii) The Petitioner/Appellant-A2 shall appear before the office of the Inspector of Police, All Women Police Station (West), Coimbatore City on every Friday at 10.30 a.m., till the final disposal of the appeal.

(iv) In breach of the conditions above, the Passport and Aadhar Card of the Petitioner/Appellant-A2 shall be surrendered to the learned Special Judge / Trial Court.

10. Accordingly, this Criminal Miscellaneous Petition is ordered.

**08-06-2026**

Neutral Citation: Yes / No

GBI

To

- 1.The Inspector of Police,  
All Women Police Station (West),  
Coimbatore City.
- 2.The Principal Judge,  
Special Court under POCSO Act, Coimbatore.
- 3.The Superintendent,  
Special Prison for Women, Coimbatore.
- 4.The Public Prosecutor,  
High Court of Madras.



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**C.SARAVANAN, J.**

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CRL MP No. 7473 of 2026  
in  
Crl A.No.532 of 2026

08-06-2026