



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL MP No. 7099 of 2026

in

CRL A No.499 of 2026

Mayavan

..Petitioner(s)

Vs

State rep.by, The Inspector of Police,
Udumalpet AWPS,
Tirupur District.
Cr.No.53/2024.

..Respondent(s)

Criminal miscellaneous petition filed under Section 430(1) of BNSS, seeking to suspend the sentence imposed in SPL.SC.No.1 of 2025 dated 18.12.2025 on the file of Sessions Mahalir, Neethimandram Fast Track Mahila Court, Tiruppur and enlarge the petitioner on bail pending disposal of the above Crl.Appeal.

For Petitioner(s): Mr.S.Sengkodi

For Respondent(s): Ms.J.R.Archana, GA(Crl. Side)

ORDER

This criminal miscellaneous petition has been filed by the petitioner seeking suspension of sentence imposed by the learned Sessions Judge Mahalir Neethimandram, Fast Track Mahila Court, Tiruppur, in SPL.SC.No.1 of 2025, vide judgment dated 18.12.2025.



2. The conviction and sentence imposed against the petitioner, vide impugned judgment are as follows:-

<i>Under Section</i>	<i>Sentence</i>
11(i) and 11(iv) r/w.12 of the Protection of Children from Sexual Offences Act	To undergo 3 years rigorous imprisonment and pay a fine of Rs.5,000/-, in default, to undergo 3 months simple imprisonment.
351(2) of Bharatiya Nyaya Sanhita	To undergo 2 years rigorous imprisonment and pay a fine of Rs.5,000/-, in default, to undergo 3 months simple imprisonment.

3. Learned counsel for the petitioner submitted that the petitioner is an innocent person and a false and exaggerated complaint has been made against the petitioner. He also submitted that there are arguable points in the criminal appeal, which is unlikely to be taken up for final hearing in the near future and the petitioner has a fair chance of succeeding in the appeal and hence, the sentence imposed on the petitioner may be suspended and the petitioner appellant may be enlarged on bail.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent opposed for grant of suspension of sentence stating that the charges against the petitioner are serious in nature as he was harassing a minor girl and the trial Court, after taking into consideration the oral and documentary evidence adduced by the prosecution, rightly found the petitioner/appellant



guilty and convicted and sentenced him, as stated above.

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5. Heard the learned counsel on either side and perused the materials on record.

6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner that the petitioner has been incarcerated for more than four months and he has also paid the fine amount, this Court is inclined to grant the reliefs of suspension of sentence and bail to the petitioner, till the disposal of the criminal appeal, on certain conditions.

7. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner/appellant is ordered to be released on bail on his executing 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 Sessions Judge Mahalir, Neethimandram Fast Track Mahila Court, Tiruppur District and on further conditions that:-

(i) The sureties shall affix their photographs and left thumb impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Passbooks to ensure their identities.

(ii) The petitioner appellant shall appear before the trial Court on the



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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 355 of BNSS, 2023 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.

8. This criminal miscellaneous petition stands ordered accordingly.

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28-04-2026



To
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1.The Inspector of Police,
Udumalpet AWPS,
Tirupur District.
Cr.No.53/2024.

2. The Sessions Judge Mahalir Neethimandram,
Fast Track Mahila Court, Tiruppur.

3.The Central Prison,
Coimbatore.

4.The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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