



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-06-2026

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THE HON'BLE MR JUSTICE C. SARAIVANAN

CRL MP No. 8900 of 2026

IN

CRL A NO. 648 of 2026

Gopalakrishnan
S/o. Dharmalingam,
Residing at No.263,
Boyar Colony, Merkathiyanur Village,
Matrapalli Post, Tirupattur Taluk,
Tirupattur District.

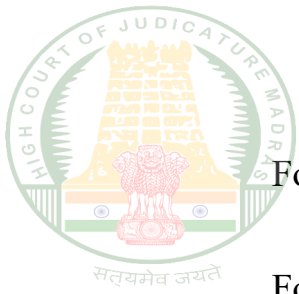
..Petitioner(s)

Vs

The State Rep.by, Inspector of Police,
Tirupattur All Women Police Station,
Tirupattur District.
Cr.No.21 of 2024.

..Respondent(s)

Prayer: Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence imposed by the Honble District and Sessions Judge, Tirupattur District in Spl.S.C.No.2 of 2025 dated 27.04.2026 and enlarge the petitioner /Appellant on bail pending disposal of the above Criminal Appeal.



For Petitioner(s): Mr.M.Arun

For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate(Crl.Side)

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ORDER

This Criminal Appeal has been filed against the impugned Judgment dated 27.04.2026 passed by the District and Sessions Court, Tirupattur in Spl.SC.No.2 of 2025. In this Appeal, the Petitioner has filed a Petition under Section 430(1) of BNSS for seeking suspension of sentence of imprisonment, pursuant to the conviction of the Petitioner/Appellant.

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

<i>Under Section</i>	<i>Sentence</i>
78 of BNS	One year Simple imprisonment and fine of Rs.5,000/-, in default, to undergo three months simple imprisonment.
11(i) r/w 12 of POCSO Act	One year simple imprisonment and fine of Rs.5,000/-, in default, to undergo three months simple imprisonment.
The aforesaid sentences were ordered to run concurrently.	



3. It is informed by the learned counsel for the Petitioner that the Petitioner is working after the impugned order was passed.

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4. The learned Government Advocate (Criminal Side) appearing for the respondent submits that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found that the Petitioner/Appellant guilty and convicted and sentenced him, as stated above. However, he opposed for granting suspension of sentence.

5. Heard the learned counsel for the Petitioner/Appellant and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials on record.

6. It appears that the Petitioner was charged for the offence under Sections 11(i) r/w 12 of POCSO Act, 2012. The offence is said to have taken place on 29.11.2024. At the time of commission of offence, the Petitioner himself was about 19 years old and the victim was about 14 years old. Prima facie indications are that the Petitioner requires counselling rather than reformation in a prison.



7. There are arguable points available in the Criminal Appeal, which is unlikely to be taken up for final hearing in the near future. The Petitioner/Appellant appears to have a fair chance to succeed in the above appeal. The fine amount has been also paid by the petitioner/appellant. Hence, I see no impediment in suspending the sentence imposed on the Petitioner/Appellant.

8. Considering the age of the Petitioner as well as the victim and considering the number of days the Petitioner has been in prison, this Court is inclined to grant the reliefs of suspension of sentence and bail. Accordingly, pending disposal of the appeal, the substantive sentence of imprisonment alone is suspended and the petitioner/appellant is enlarged on bail, subject to the following conditions:-

“ (i) The petitioner/appellant shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, with two sureties, each for a like sum to the satisfaction of the District Sessions Court, Tiruppatur.



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(ii) The Petitioner/Appellant shall appear before the Jurisdictional Police Station, namely the Respondent herein every third day at 10.30 a.m., till the pending disposal of the appeal, the Petitioner shall not be seen in the vicinity of the victim and in case, it is reported that the Petitioner is making any attempt to reach out to the victim, the prosecution is at liberty to move an application for cancellation.

9. Accordingly, the Criminal Miscellaneous Petition stands ordered.

18-06-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

VV

To

1. The District and Sessions Judge,
Tirupattur District.
2. The Inspector of Police,
Tirupattur AWPS Police Station,
Tirupattur District.
3. The Public Prosecutor,
High Court, Madras



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CRL MP No. 8900 of 2



C.SARAVANAN, J.

VV

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IN
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