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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 20568 of 2026
in CRL A No.1340 of 2026

Karthick

..Petitioner(s)

Vs

The State rep. by
The Inspector of Police,
All Women Police Station,
Villupuram and District,
(Crime No.21 of 2018)

..Respondent(s)

Prayer: The Criminal Miscellaneous Petition is filed under Section 430(1)of BNSS, to suspend the sentence passed in judgment dated 22.07.2025 passed in Special S.C.No.42 of 2019 (Old Special S.C.No.61 of 2018) by the Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram and enlarge him on bail, pending disposal of the above Criminal Appeal.

For Petitioner(s): Ms.S.Santha Kumari
For Respondent(s): Ms.Sharada Vivek,
Additional Public Prosecutor

ORDER

The appeal has been filed challenging the Judgment passed in Spl.S.C.No.61 of 2018 holding the petitioner guilty of the offences under Section 9(m) r/w 10 of the POCSO Act and Section 451 IPC and sentencing him as below;

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Convicted under Section	Sentence imposed
9(m) r/w 10 of the POCSO Act	To undergo 6 years RI and to pay a fine of Rs.5000/- (id) to undergo 6 months SI
451 IPC	To undergo 2 years RI and to pay a fine of Rs.5,000/- (id) to undergo 6 months SI

The sentences were ordered to concurrently.

2.It is the case of the prosecution that the petitioner, who was a neighbour, entered the victim's house and locked the door from inside and hugged the victim and kissed her and thus, committed the aforesaid offences.

3.The learned counsel for the petitioner would submit that as against the fixed sentence of imprisonment, the petitioner has already served one year and six months of imprisonment, pursuant to the Judgment of conviction; that he was in custody during investigation also; that the petitioner has raised substantial grounds in the appeal, which requires consideration; and that since the appeal is not likely to be taken up in the near future, he prayed for suspension of sentence.

4.Heard the learned Additional Public Prosecutor and perused the counter filed by the respondent.

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5.Admittedly, as against the fixed sentence of imprisonment, the petitioner has already served one year and six months of imprisonment. The petitioner has raised substantial grounds in the appeal, which requires consideration. The appeal has been filed belatedly and is not likely to be taken up in the near future. Considering all the above facts this Court is inclined to grant the relief of suspension of sentence to the petitioner.

6.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:

(a).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 Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Villupuram.;

(b).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

(c).The petitioner shall appear before the Trial Court on the first and third Monday 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

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the Trial Court on any other day in lieu of the date of his absence, as directed by the Trial Court.

11-11-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

TSG

Note: Issue order copy on 11.11.2026.

To

1.The Inspector of Police,
All Women Police Station,
Villupuram and District,
(Crime No.21 of 2018).

2.The Sessions Judge,
Special Court for Exclusive Trial of Cases
under POCSO Act, Villupuram.

3.The Superintendent,
Central Prison, Cuddalore.

4.The Public Prosecutor,
Madras High Court.

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SUNDER MOHAN, J.

TSG

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