WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 21583 of 2026
in CRL A No. 1397 of 2026

Surendar

..Petitioner(s)

Vs

The State rep. by
The Inspector of Police,
AWPS Neelangarai Police Station,
Chengalpattu District.
Crime No. 02 of 2025.

..Respondent(s)

Prayer: The Criminal Miscellaneous Petition has been filed under Section 430(1) of the BNSS, 2023, to suspend the sentence and conviction dated 16.10.2026 passed against the appellant/accused by the learned Sessions Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Chengalpattu in Special Sessions Case. No.132/2025 convicting the appellant herein to undergo rigorous imprisonment for one year and to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for one week, pending disposal of the above criminal appeal and release the petitioner/appellant on bail.

For Petitioner(s): Mr.G.Mageshkumar

For Respondent(s): Ms. Sharada Vivek,
Additional Public Prosecutor

https://www.mhc.tn.gov.in/judis

WEB COPY

ORDER

The Criminal Appeal challenges the Judgment passed in Spl.S.C.No.132 of 2025 by the learned Sessions Judge, Special Court for Exclusive Trial of Cases Under POCSO Act, Chengalpattu, holding the petitioner guilty of the offence under Section 75 of BNS and sentencing him to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/- and in default, to undergo one week simple imprisonment.

2. The learned counsel for the petitioner would submit that a fixed sentence of imprisonment has been imposed on the petitioner; that the petitioner has raised substantial grounds in the appeal; and that the sentence imposed on the petitioner may be suspended pending disposal of the appeal.

3.Heard the learned Additional Public Prosecutor and perused the materials available on record.

4. The sentence has been suspended by the trial Court till 14.11.2026. Considering the fact that the petitioner/appellant has raised substantial grounds in the appeal and the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

5. 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:

https://www.mhc.tn.gov.in/judis

Order QR

WEB COPY

(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, Chengalpattu;

(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;

(c).The petitioner shall appear before the respondent police once in fifteen days and 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.

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,
AWPS Neelangarai Police Station,
Chengalpattu District.
Crime No. 02 of 2025.

2.The Sessions Judge,
Special Court for Exclusive Trial
of Cases Under POCSO Act,
Chengalpattu.

https://www.mhc.tn.gov.in/judis

3.The Public Prosecutor,
Madras High Court.

WEB COPY

https://www.mhc.tn.gov.in/judis

WEB COPY

SUNDER MOHAN, J.

TSG

CRL MP No. 21583 of 2026
in CRL A No. 1397 of 2026

11-11-2026

https://www.mhc.tn.gov.in/judis