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CRL MP No. 1419 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 09-02-2026**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CRL MP No. 1419 of 2026**

**and**

**CRL A No. 91 of 2026**

Mohamed Maideen (Rahuman)

...Petitioner

Vs.

State by: The Inspector of Police,  
All Women Police Station,  
North Police Station,  
Tiruppur District  
(Crime No.25 of 2020)

...Respondent

**PRAYER:** Criminal Miscellaneous Petition filed under Sections 430 (1) of BNSS, to suspend the sentence imposed against the petitioner on 30.06.2025 in Spl.S.C.No.4 of 2021 on the file of the learned Sessions Court, Mahalir Needhimandram (Fast Track Mahila Court), Tiruppur and release the petitioner on bail till the disposal of the Criminal Appeal.

For Petitioner(s): Mr.P.Pugalenthi

For Respondent(s): Mr.S.Balaji  
Government Advocate (Crl. Side)

### **ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the conviction and sentence passed by the the learned Sessions Judge, Mahalir Needhimandram (Fast Track Mahila Court), Tiruppur in Spl.S.C.No.04 of 2021



dated 30.06.2025 pending disposal of the above criminal appeal.

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2. The petitioner/Accused in Spl.S.C.No.04 of 2021 was convicted by the Trial Court by judgment dated 30.06.2025 for the offences under Section 5(1) r/w 6 of POCSO Act and sentenced to undergo twenty years rigorous imprisonment and directed to pay a fine of Rs.10,000/-, in default, to undergo six months simple imprisonment. Aggrieved by the same, the petitioner filed Crl.A.No.91 of 2026 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

3. The case of the prosecution is that the petitioner, aged 19 years had a love affair with the victim girl aged 16 years; that on 27.11.2020 at about 1.00 p.m., the petitioner had taken the victim to his house at Tiruppur and on the promise of marriage had committed penetrative sexual assault and thus committed the aforesaid offence.

4. The learned counsel for the petitioner would submit that the allegations are false; that the complaint was lodged only because the petitioner and the victim were in a love affair, which was not to the liking of her parents; that the age of the victim has not been established in the manner known to law and that



there are several inconsistencies in the evidence of the victim and therefore, the impugned judgment is liable to be set aside.

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5. The learned Government Advocate (Crl. Side) for the respondent, fairly conceded that it is a case of love affair between two teenagers and that the petitioner was aged 19 years at the time of occurrence.

6. Considering the submissions made by the learned counsel for the petitioner, the age of the petitioner, that fact that the relationship was consensual and the fact that there are several arguable points in the above appeal, which requires consideration and since 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

7. 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:

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge/ Mahalir Needhimandram (Fast Track Mahila Court), Tiruppur;



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(ii) 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

(iii) The petitioner shall appear 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.

**09-02-2026**

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To

1. The Mahalir Needhimandram (Fast Track Mahila Court), Tiruppur
2. The Inspector of Police  
All Women Police Station,  
North Police Station,  
Tiruppur District
3. The Public Prosecutor,  
High Court of Madras, Madras.
4. The Central Prison, Coimbatore



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**SUNDER MOHAN J.**

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