



CrI.M.P.No.23379 of 2025  
in CrI.A.No.1878 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED : 20.01.2026**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CrI.M.P.No.23379 of 2025**  
**in CrI.A.No.1878 of 2025**

Ranjithkumar

... Petitioner /Appellant

Vs.

The State Rep. By  
The Inspector of Police,  
Magaral Police Station,  
Kancheepuram District,  
Crime No.646 of 2020

... Respondent/Complainant

**PRAYER:** Criminal Miscellaneous Petition has been filed under Section 389(1) r/w 430(1) of BNSS praying to suspend the sentence of imprisonment imposed in the Judgment dated 25.07.2023 made in Spl.S.C.No.32 of 2021 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases under Protection of Children from Sexual Offences Act, Chengalpattu and enlarge the petitioner on bail pending disposal of the above criminal appeal.

For Petitioner : Mr.S.Panneer Selvam

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



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## **ORDER**

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 25.07.2023 passed in Spl.S.C.No.32 of 2021 by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/accused in Spl.S.C.No.32 of 2021 was convicted by the Trial Court by judgment dated 25.07.2023, for the offences under Section 366, 376AB, 506(ii) of IPC and Section 6(1) of the POCSO Act, 2012 and sentenced to undergo 10 years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo six months simple imprisonment for the offence under Section 366 IPC and sentenced to undergo rigorous imprisonment for two years for the offence under Section 506(ii) of IPC and sentenced to undergo 20 years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo one year simple imprisonment for the offence under Section 6(1) of the POCSO Act. Aggrieved by the same, he filed Crl.A.No.1878 of 2025 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.



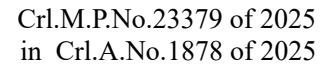
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3.The gist of the prosecution is that on 10.09.2020 at about 04.30 p.m, the appellant had taken the victim girl, aged about 7 years at the time of the occurrence, in his bike and committed penetrative sexual assault in a bush near the river side.

4.The learned counsel for the petitioner would submit that the allegations are false; that the complaint was lodged only on 13.09.2020, even though it is the case of the prosecution that the victim informed her mother PW1 on the same day of the occurrence; that the allegations are motivated; that the offence of penetrative sexual assault has not been made out; that the Doctor who examined the victim girl has stated that there is no external injury on the victim girl and there is no evidence of sexual assault on the examination of the genitalia of the victim girl; that the petitioner is in custody from 25.07.2023; and since the petitioner has raised substantial grounds, the sentence imposed on him be suspended.

5.Heard the learned Government Advocate (CrI. Side) for the respondent and perused the materials available on record.



7. The complaint was given three days after the occurrence. The conviction is based on the sole testimony of the victim girl, aged about 7 years. The petitioner has raised substantial grounds in the above appeal, which requires consideration. Considering the fact that the petitioner is in custody from 25.07.2023 and since the appeal is not likely to be taken in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

8. 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:



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- (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, Special Court for Exclusive Trial of Cases under Protection of Children from Sexual Offences Act, Chengalpattu;
- (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.

**20.01.2026**

Tsg

Note: Issue order copy on 21.01.2026



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**SUNDER MOHAN, J.**

Tsg

To

- 1.The Sessions Judge,  
Special Court for Exclusive Trial of Cases  
under Protection of Children from Sexual  
Offences Act, Chengalpattu.
- 2.The Superintendent,  
Central Prison-I, Puzhal.
- 3.The Inspector of Police,  
Magaral Police Station,  
Kancheepuram District.
- 4.The Public Prosecutor,  
High Court, Madras.

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