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CRL. M.P.No.126 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 126 of 2026

in

CrI.A.No.1883 of 2025

Ranjithkumar

...Petitioner(s)

Vs

1. The State of Tamil Nadu,
Rep by the Deputy Superintendent of
Police,
Gingee Sub-Division,
Villupuram District.

2.The Inspector of Police
Gingee Police Station, Gingee,
Villupuram District.
(Crime No.625/2017)

...Respondent(s)

PRAYER:- Criminal Miscellaneous Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to pass an order suspending the sentences imposed on the petitioner/appellant in Spl.S.C.No.52 of 2018 on the file of the learned Session Judge, Special Court for Exclusive Trial of Cases registered under the SC & SC (Prevention of Atrocities) Act, 1989, Villupuram by its Judgment dated 31.01.2025 and enlarge the petitioner/appellant on bail pending disposal of the criminal appeal.



For Petitioner(s): Mr.M.Ganesh

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

ORDER

This petition has been filed to suspend the sentence imposed on the petitioner/Appellant in Spl.S.C.No.52 of 2018 on the file of the Sessions Judge, Special Court for Exclusive Trial of Cases registered under the SC/ST POA Act, 1989, Villupuram by its Judgement dated 31.01.2025 and enlarge the petitioner on bail, pending disposal of the Criminal Appeal No.1883 of 2025.

2. The petitioner herein was convicted by the Sessions Judge, Special Court for Exclusive Trial of Cases registered under the Sc/ST POA Act, 1989, Villupuram, in Spl.S.C.No.52 of 2018 and sentenced him to undergo Rigorous Imprisonment for 10 years and pay a fine of Rs.10,000/-, in default to undergo Rigorous Imprisonment for 2 years for the offence under Section 376(2)(l) IPC and 376(2)(m) IPC and sentenced to undergo Rigorous imprisonment for 20 years and pay a fine of Rs.1,00,000/-, in default, to undergo Rigorous Imprisonment for 5 years for the offences under Section 376(d). Aggrieved over the same, the appellant filed the criminal appeal along with Criminal Miscellaneous petition.



3. The learned counsel for the petitioner would submit that that a similarly placed co-accused were granted suspension of sentence by this Court on 25.11.2025 in Crl.M.P.No.18982 of 2025 and on 12.12.2025 in Crl.M.P.No.23359 of 2025; and that the evidence of the victim girl does not inspire confidence; and that there are substantial grounds raised in the above appeal which calls for setting aside the impugned judgment.

4. The learned Government Advocate (Crl. Side) for the respondent *per contra* would submit that it is a case of gang rape; that the petitioner along with other accused had committed rape of a mentally retarded woman; that the evidence of the victim and other witnesses on the side of the prosecution has established the offence against the petitioner; and that considering the gravity of the offence, the petition may be dismissed.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate (Crl.side) appearing for the respondent and perused the records.

6. It is seen that the similarly placed co-accused have been granted suspension of sentence on 25.11.2025 in Crl.M.P. No.18982 of 2025 and on



12.12.2025 in Crl.M.P.No.23359 of 2025. This Court is also convinced after perusing the evidence of the victim girl and other evidence on record, that the petitioner has raised substantial grounds in the above appeal. Since the criminal appeal is not likely to be taken up for hearing 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 and the petitioner is ordered to be released on bail on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate bond for a sum of Rs.25,000/- (Rupees Twenty Five 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 registered under the Sc/ST POA Act, 1989, Villupuram.

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they 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.

07-01-2026

Tsg

To

1. The Sessions Judge, Special Court for Exclusive Trial of Cases registered under the Sc/ST POAA Act, 1989, Villupuram.
2. The Inspector of Police, Gingee Police Station, Villupuram District.
3. The Central Prison, Cuddalore.
4. The Public prosecutor, High Court, Madras.

Note: Issue order copy on 09.01.2026



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SUNDER MOHAN, J.
Tsg

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