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Crl.M.P. No. 24886 of 2025
in
Crl.A. No. 1967 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P. No. 24886 of 2025

in

Crl.A. No. 1967 of 2025

Sulthan Ahamad,
S/o. Abdul Lathif,
Residing at No. 905/1,
East Street, Puthanatham,
Manaparai Taluk,
Trichy District.

..Petitioner

Vs.

State rep. By
The Inspector of Police,
W-35, Tambaram All Women Police Station,
Chengalpet District,
Crime No. 30/2017.

..Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 430(1) of
BNSS to suspend the sentence imposed on the petitioner by judgment dated



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05.12.2025 passed in Spl. S.C. No. 160 of 2019 (Old Spl.S.C. No. 17 of 2019) by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District and enlarge the petitioner/appellant on bail pending disposal of the above appeal.

For Petitioner :: Mr.C.V. Kumar

For Respondent :: Mr.S. Balaji,
Govt. Advocate (Crl.Side)

O R D E R

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 05.12.2025 passed in Spl.S.C.No. 160 of 2019 (Old Spl.S.C. No. 17 of 2019) by the learned Sessions Judge, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/accused in Spl.S.C.No. 160 of 2019 (Old Spl.S.C. No. 17 of 2019) was convicted by the Trial Court by judgment dated 05.12.2025, for the offences under Section 366 IPC and Section 10 of POCSO Act, 2012; sentenced to undergo imprisonment for 7 years, together



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with a fine of Rs.1000/- carrying a default sentence of simple imprisonment for 6 months for the offence under Section 366 IPC and to undergo imprisonment for 7 years and to pay a fine of Rs.1000/- carrying a default sentence of simple imprisonment for 6 months for the offence under Section 10 of POCSO Act. Aggrieved by the same, he filed Crl.A.No.1967 of 2025 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

3. The case of the prosecution is that the petitioner/accused is an Urdu Teacher, who teaches Quran in a Mosque; that when the victim girl went to the Mosque for reading on 26.09.2017, at about 7.45 hours, the petitioner/accused took the victim girl to a separate enclosure, removed his clothes and that of the victim; exposed his naked body to the victim and thus committed the aforesaid offences.

4. The learned counsel for the petitioner would submit that the allegations against the petitioner are false; that there are several inconsistencies in the evidence adduced on the side of the prosecution; that the petitioner has raised substantial grounds in the appeal and therefore, prayed for suspension of sentence, pending the appeal.



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5. Heard the learned Government Advocate (Crl.Side) for the respondent and perused the counter affidavit.

6. Considering that there are substantial grounds raised 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, the 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, Special Court for Exclusive Trial of Cases under POCSO Act, Chengalpattu District;
- (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



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(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.

27.01.2026

Neutral Citation: Yes/No

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To

1. The Sessions Judge,
Special Court for Exclusive Trial
of Cases under POCSO Act,
Chengalpattu.
2. The Superintendent,
Central Prison I, Puzhal, Chennai.
3. The Inspector of Police,
W-35, Tambaram All Women Police Station,
Chengalpet District.
4. The Public Prosecutor, High Court,
Madras.

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SUNDER MOHAN,J.

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