



CrL.M.P.(MD) No.797 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 29.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

**CRL.MP(MD) No.797 of 2026
in
CrL.A(MD)No.746 of 2023**

T.Kannan : Petitioner/Appellant/Sole Accused

Vs.

**The State rep. By
The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi District.
(Crime No.147/2015)**

: Respondent/Respondent/Complainant

Prayer: Criminal Miscellaneous Petition filed under Section 430(1) and (2) of BNSS to suspend the sentence imposed on the petitioner in Special SC No.109 of 2019, dated 17/03/2023 by the Sessions Judge, Special Court for Exclusive Trial Cases under POCSO Act, Thoothukudi and to enlarge the petitioner on bail, pending disposal of the above said criminal appeal.

For Petitioner : Mr.A.D.Ganeshamoorthi

**For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor**



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ORDER

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[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

This criminal miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner by the Sessions Judge, Special Court for Exclusive Trial cases under POCSO Act, Thoothukudi, in Special S.C.No.109 of 2019, dated 17/03/2023 and to enlarge the petitioner on bail pending disposal of the criminal appeal.

2.The petitioner stands convicted and sentenced as under:-

Section of Law	Sentence of imprisonment	Fine amount
450 IPC	10 Years RI	Rs.5,000/-, in default to undergo 6 months SI
305 IPC	Life Imprisonment	Rs.5,000/-, in default to undergo 6 months SI

3.Heard the learned counsel on either side and perused the materials available on record.

4.The petitioner has made out a *prima facie* case to grant suspension of sentence, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.



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5. Accordingly, the Criminal Miscellaneous Petition is **allowed** and the substantive sentence of imprisonment alone imposed on the petitioner is suspended subject to the following conditions:-

(i). The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the **Sessions Judge, Special Court for Exclusive Trial cases under POCSO Act, Thoothukudi.**

(ii). 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 passbook to ensure their identity.

(iii). The petitioner shall appear and sign before the trial Court at 10.30 am, on the first working day of every English Calendar month till the disposal of the Criminal Appeal.

[G.K.I., J.] & [R.P., J.]
29.01.2026

NCC : Yes / No
Index : Yes / No
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G.K.ILANTHIRAIYAN , J.
AND
R.POORNIMA, J.

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To,

- 1.The Sessions Judge,
Special Court for Exclusive Trial cases under POCSO Act,
Thoothukudi.
2. The Superintendent,
Central Prison, Palayamkottai.
- 3.The Inspector of Police,
Seithunganallur Police Station,
Thoothukudi District.
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

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