



Crl.M.P.(MD)No.9849 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 07.05.2026

CORAM

THE HONOURABLE MRS JUSTICE S.SRIMATHY

CRL MP(MD) NO. 9849 of 2026

IN

CRL A(MD) NO. 565 of 2026

Aravind

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
All Women Police Station,
Nanguneri, Tirunelveli District.

... Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 430 of BNSS and Section 430(1) r/w 483 of BNSS, to enlarge the petitioner on bail by suspending the sentence imposed on the petitioner in Spl.C.C.No.328 of 2024 by the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli dated 24.03.2026, pending disposal of the above Criminal Appeal.

For Petitioner : Mr.D.Venkatesh

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



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the execution of sentence by granting bail in Spl.C.C.No.328 of 2024 dated 24.03.2026 on the file of the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli, pending disposal of the above criminal appeal.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 24.03.2026, and the trial Court sentenced him to undergo rigorous imprisonment for a period of 1 year and to pay a fine of Rs.5,000/- in default to undergo 3 months simple imprisonment for the offence under Section 11(iv) r/w 12 of POCSO Act. Aggrieved over the said conviction, the petitioner has preferred this Criminal Appeal.

3. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.



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4. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

5. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal appeal and further, the criminal appeal is not likely to be taken up for final hearing in the near future and as such, and also considering the fact that the petitioner has good chance of succeeding in the appeal, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

6. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended till the disposal of the above criminal appeal with the following directions :

(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one should be a Government servant each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli,,



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(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 Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned Sessions Judge, Special Court for POCSO Act Cases, Tirunelveli, on all working days at 10.30 a.m., until further orders.

07.05.2026

vsg



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- To
- 1.The learned Sessions Judge, Special Court for POCSO Act Cases,
Tirunelveli.
 2. The Inspector of Police,
All Women Police Station,
Nanguneri, Tirunelveli District.
 3. . The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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S.SRIMATHY, J.,

vsg

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