



**CrIMP(MD)No.12234 of 2026**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 02.07.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**CrIMP(MD)No.12234 of 2026  
in  
Crl A(MD)No.540 of 2026**

**Suresh Babu**

**...Petitioner**

**Vs**

**The State of Tamil Nadu rep by  
the Inspector of Police,  
AWPS Colachal,  
Kanniyakumari District.  
[Crime No.34 of 2020]**

**... Respondent**

**PRAYER:** Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence by granting bail in SplSC.No. 14 of 2021 dated 30.03.2026 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Kanniyakumari district at Nagercoil, till the disposal of the criminal appeal.

**For Petitioner : Mr.K.Jeyamohan**

**For Respondent : Mr.A.Robinson,  
Government Advocate**



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**ORDER**

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The petitioner is the sole accused in SplSC.No.14 of 2021 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Kanniyakumari district at Nagercoil. By judgment dated 30.03.2026, the petitioner was found guilty, convicted and sentenced to undergo imprisonment as follows:

| S. No | Offence                          | Sentence                      | Fine (in Rs) | Default sentence             |
|-------|----------------------------------|-------------------------------|--------------|------------------------------|
| 1     | Section 451 IPC                  | 3 years rigorous imprisonment | 1,000        | 6 months simple imprisonment |
| 2     | Section 7 r/w 8 of POCSO Act     | 3 years rigorous imprisonment | 1,000        | 6 months simple imprisonment |
| 3     | Section 9(i) r/w 10 of POCSO Act | 5 years rigorous imprisonment | 3,000        | 6 months simple imprisonment |

As against the conviction and sentence imposed by the trial Court, the petitioner has filed an appeal in CrIa(MD)No.540 of 2026 along with this petition to suspend the sentence imposed on him by the trial court. The appeal has been admitted by this Court on 01.06.2026.



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2.The learned counsel for the petitioner submits that the occurrence took place on 06.12.2020 but the same has been reported only on the next day. Further PW1 to PW3 are the father, mother and brother of the victim PW6 and according to them, they have closed the front and back doors of their house and therefore, it is not possible for anyone to enter into the house from outside. The petitioner is alleged to have twisted victim's left hand on 06.12.2020 at 11.45pm, but she was admitted in the hospital on 07.12.2020 at about 07.30pm. He further submits that there is a pathway dispute between the petitioner and PW2 and therefore, the complaint has been foisted as against the petitioner. According to him, the petitioner has been in jail for nearly 6 months.

3.The learned Government Counsel appearing for the respondent police submits that the victim girl PW6 was aged about 16 years and her date of birth is 17.10.2004. On 06.12.2020 at about 11.45 pm, when PW6 victim and her brother PW3 were sleeping in their house, the accused trespassed into the house and pulled her left hand and pulled her tops. When it was resisted by PW6, the petitioner twisted her hand and caused simple injury.



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4.This court has considered the rival submissions made.

5.The victim was sleeping along with her brother. The nature of allegation is that the petitioner is said to have pulled the hands of the victim. The petitioner has attributed motive as against the victim family that there existed a pathway dispute. All these grounds raised by the petitioner can be considered only during the final hearing. Considering the period of sentence imposed on the petitioner and the grounds raised by the petitioner and that the appeal could not be taken up for final hearing immediately this court is inclined to allow this petition.

(i) The petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the Special Court for Exclusive Trial of Cases under POCSO Act, Kanniyakumari district at Nagercoil,

(ii) The petitioner and the sureties shall file an affidavit before the respondent police that the petitioner will not misuse this liberty, will not indulge in any further offence, will not visit the occurrence place during this period.



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(iii) The petitioner shall stay at Madurai and report before the Inspector of Police, Anna Nagar Police Station, Madurai daily at 10.30 am.

(iv) If the petitioner changes his residence, it shall be informed to the respondent police immediately.

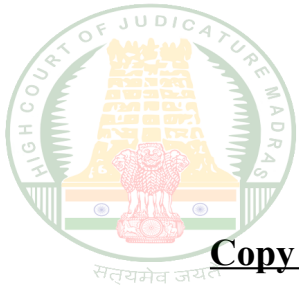
(v) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

02.07.2026

DSK

To

1. The Special Court for  
Exclusive Trial of Cases under POCSO Act,  
Kanniyakumari district at Nagercoil,
2. The Inspector of Police,  
AWPS Colachal,  
Kanniyakumari District.
3. The Inspector of Police,  
Anna Nagar Police Station,  
Madurai.
4. The Superintendent,  
Central Prison, Palayamkottai.



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The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI.J.,**

DSK

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