

Crl.M.P.(MD) No.8781 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 08.07.2026

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA
AND
THE HONOURABLE MS.JUSTICE R.POORNIMA**

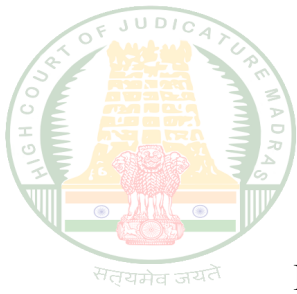
**CRL.MP(MD) No.8781 of 2026
in
Crl.A(MD)No.484 of 2026**

Karunakaran : Petitioner/Appellant/Sole Accused

Vs.

State of Tamil Nadu
Rep. By its The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
(Crime No.69 of 2024) : Respondent/Respondent/Complainant

PRAYER: Petitions filed under Section 430(1) BNSS to suspend the sentence imposed against the petitioner by the Special Court for Exclusive Trial of cases under POCSO Act, Dindigul, in Special SC No.41 of 2024, dated 16/12/2024 and enlarge the petitioner on bail pending disposal of the criminal appeal.



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For Petitioner

: Mr.C.Susikumar

For Respondent

: Mr.C.Christopher
Counsel for State of Tamil Nadu (Crl. side)

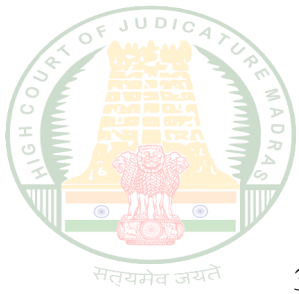
ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed against the petitioner in Special SC No.41 of 2024, dated 16/12/2024 passed by the Special Court for exclusive Trial of Cases under POCSO Act, Dindigul and enlarge him 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
363 IPC	5 years RI	Rs.10,000/-, in default to undergo 6 months SI
6 of POCSO Act, 2012	Life Imprisonment	Rs.1,00,000/-, in default to undergo one year SI.



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3.The case of the prosecution is that the minor victim girl was studying 11th Standard at the time of the occurrence and that the petitioner/accused, who was aged 21 years had developed a friendship with her. On 21/02/2024 at about 11.00 p.m., the petitioner/accused allegedly induced the minor victim girl to leave her house and took her to his aunt's house. During that period, the petitioner/accused repeatedly committed penetrative sexual assault on the minor victim girl. Upon the occurrence, a case in Crime No.69 of 2024 was registered by the respondent police against the petitioner/accused for the offences under Sections 363 and 376(3) of the IPC and Section 5(l) read with Section 6 of the POCSO Act, 2012 and thereafter, the petitioner/accused was arrested and remanded to judicial custody. After completion of the investigation, the respondent police filed a final report against the petitioner/accused for the offences under Section 363 IPC and Section 6 of the POCSO Act, 2012 and the same was taken on file as Special S.C No.41 of 2024 on the file of the Special Court for EC and NDPS Act Cases, Pudukkottai. On the side of the prosecution, PW1 to PW13 were examined and 18 documents were marked as Exs.P1 to P18. On the side of the defence, no oral and documentary evidence was adduced. When the petitioner/accused was



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question under Section 313 Cr.P.C., he denied the charges. After hearing both sides, the trial Court convicted the petitioner/accused under Section 363 IPC and Section 6 of POCSO Act, 2012 as stated above. Challenging the same, the present criminal appeal has been filed.

4.The learned counsel appearing for the petitioner/sole accused would submit that admittedly, it is a case of love affair between the petitioner/accused, who was aged about 19 years and the victim girl, who was below 18 years of age at the time of the occurrence. He would further submit that the victim girl did not support the prosecution case during her cross examination. He would also submit that the petitioner/accused has a got good case on merits and has been in custody since the date of his conviction namely 16/12/2024. He would further submit that several arguable points are available in this case and therefore, prays that this petition be allowed.

5.Per contra, the learned counsel appearing for the State of Tamil Nadu (Criminal side) strongly opposed the grant of suspension of sentence, contending that the petitioner/accused had induced the minor victim girl



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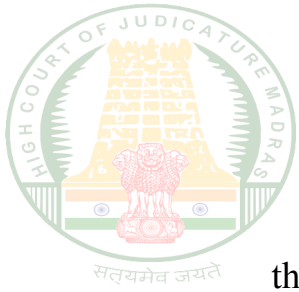
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and taken her away from her house and stayed with her in his aunt's house, where he repeatedly committed penetrative sexual assault on her. Therefore, he prayed for dismissal of this petition.

6..Considering the period of incarceration suffered by the petitioner/accused and also considering the fact that there are several arguable points available in this case and the fact that there is no likelihood of the appeal being taken up for final hearing in the near future, we are of the opinion that this is a fit case for grant of suspension of sentence to the petitioner/accused.

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

i.The petitioner/Accused is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to



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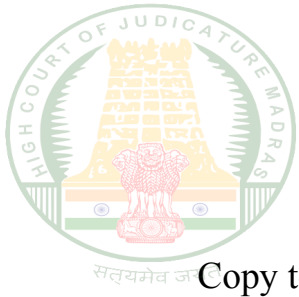
the satisfaction of the learned Special Court for Exclusive
Trial of Cases under POCSO Act, Dindigul.

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/accused shall appear and sign before
the trial Court at 10.30 am, on the first working day of every
English Calender month, until further orders.

[A.D.J.C., J.] [R.P., J.]
08.07.2026

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- 1.The Special Court for Exclusive Trial of cases
under POCSO Act, Dindigul.
- 2.The Inspector of Police,
Vedasandur Police Station,
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
- 4.The Central Prison, Trichy.



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