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Crl.A.No.854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 14.07.2025

CORAM

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.A.No.854 of 2025 and
Crl.MP.No.13496 of 2025

XXX

...Appellant

The State,
Rep by the Inspector of Police,
Mudaliyarpet Police Station,
Puducherry District
(crime No.16 of 2022)

... Respondent

Prayer: Criminal Appeal filed under Section 415(2) of BNSS, 2023, praying to set aside the judgment and order of conviction and sentence dated 27.02.2025 passed in Spl.SC.No.135 of 2023 on the file of the learned Sessions Judge(FTC), Special Court for Exclusive Trial of Cases under POCSO Act, Puducherry and acquit the appellant of the charge framed under Section 12 of the POCSO Act, 2012.

For Appellant : Mr.G.R.Hari

For Respondent : Mr.K.S.Mohandass,
Public Prosecutor(Pondy)

JUDGMENT



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This criminal appeal has been preferred praying to set aside the judgment and order of conviction and sentence dated 27.02.2025 passed in Spl.SC.No.135 of 2023 on the file of the learned Sessions Judge(FTC), Special Court for Exclusive Trial of Cases under POCSO Act, Puducherry and to acquit the appellant of the charge framed under Section 12 of the POCSO Act, 2012.

2. On perusal of records, it is revealed that the petitioner has been convicted in Spl.SC.No.135 of 2023 on the file of the learned Sessions Judge(FTC), Special Court for Exclusive Trial of Cases under POCSO Act, Puducherry for the offence under Section 12 of POCSO Act. Now, it is submitted by the learned counsel for the appellant that the appellant already married the victim and she is now pregnant.

3. The victim appeared before this Court through video conference and submitted that she married the appellant and now she is pregnant.

4. In view of the submission of the victim, this Court is



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inclined to allow this criminal appeal. Accordingly, this criminal appeal is allowed and the impugned judgment dated 27.02.2025 passed in Spl.SC.No.135 of 2023 on the file of the learned Sessions Judge(FTC), Special Court for Exclusive Trial of Cases under POCSO Act, Puducherry, is set aside on condition that the appellant registers his marriage with the victim and produce the marriage certificate before the respondent, failing which this order shall automatically stand cancelled and the impugned judgment shall automatically stand restored. Consequently, connected miscellaneous petition is closed.

14.07.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To
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- 1.The learned Sessions Judge(FTC), Special Court for Exclusive Trial of Cases under POCSO Act, Puducherry
- 2.Inspector of Police,
Mudaliyarpet Police Station,
Puducherry District
- 3.The Public Prosecutor,
High Court of Madras

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