



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20081 of 2025

IN

CRL A NO. 1656 OF 2025

Kishoth @ Perumal

S/o.Lakshmanan, Kendenahalli Village,
Palacode Taluk, Dharmapuri District.

Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
Marandahalli Police Station,
Dharmapuri District. Cr.No.114/2017.

Respondent(s)

For Petitioner(s): M.Selvam
P.Thirumalaivasan
A.Mukesh

For Respondent(s): Mr.V.Meganathan
Government Advocate (Crl.Side)

**ORDER**

The petitioner has filed this petition to Suspend the sentence of conviction order passed in Spl.S.C.No.20 of 2023 on the file of the learned Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri and release him on bail.

2. The petitioner herein is the accused in Spl.S.C.No.20 of 2023 on the file of the learned Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri. He found guilty under Section 363 IPC, Section 9 of Prohibition of Child Marriage Act 2006, and 5(1)(i) punishable under Section 6 of the Protection of Children from Sexual Offences Act, and convicted the petitioner to undergo 5 year rigorous imprisonment and to pay a fine of Rs.3,000/-, in default to undergo one year simple imprisonment under Section 363 IPC and sentenced to undergo two years rigorous imprisonment under Section 9 of the Prohibition of Child Marriage Act 2006 and sentenced to undergo 10 years rigorous imprisonment and to pay a fine of Rs.10,000/- in default to undergo one year simple imprisonment under Section 5(1)(i),



punishable under Section 6 of the Protection of Children from Sexual Offences Act, against which the present revision has been filed.

3. The learned counsel for the petitioner submitted that the petitioner has a family with children, is willing to abide by any conditions imposed by the Court.

4. The learned Prosecutor submitted that at the time of the occurrence, the victim was about 13 years old, while the petitioner was around 32 years old. It was further submitted that the victim girl has now been secured, is presently married, and that victim compensation of Rs.3,00,000/- has been paid.

5. All the submissions are recorded.

6. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, further this Criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be



suspended on certain conditions. Accordingly, till the disposal of the Criminal appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner is directed to deposit a sum of Rs.50,000/- to the credit of Spl.SC.No.20 of 2023, on the file of the Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri, within a period of two weeks from the date of his release.

(b) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one surety shall be a blood related surety, each for a like sum to the satisfaction of the learned Sessions Judge (FAC), Special Court for Exclusive Trial of Cases under POCSO Act, Dharmapuri.

(c) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall report before the respondent police on every Sunday at 10.30 a.m, and also shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal Appeal and if he is not able to appear before the trial



Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023. and shall appear before the trial

Court on any other day in lieu of the date of his absence, as directed by the trial Court.

(e) the parents of the victim girl is permitted to withdraw the amount deposited by the petitioner in Spl.SC.No.20 of 2023.

(f) the petitioner shall not to have any communication with the victim girl.

7. With the above directions, this Criminal Miscellaneous Petition is ordered.

10-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
WEB COPY

- 1.The State Rep by,
The Inspector of Police,
Marandahalli Police Station,
Dharmapuri District. Cr.No.114/2017.
- 2.The Sessions Judge (FAC), Special
Court for Exclusive Trial of Cases
under POCSO Act, Dharmapuri.
- 3.The Superintendent,
Central Prison, Salem.
- 4.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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