



CRL MP(MD) NO. 99 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-02-2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CRL MP(MD) NO. 99 of 2025

in

CrI.A(MD) No.11 of 2025

Karthick
S/o.Rajkumar, South Street,
Sirugalappur, Lalgudi Taluk,
Trichy District.

Petitioner

Vs

The State of Tamilnadu
Rep by The Inspector of Police,
Siruganur Police Station,
Trichy District.
Crime No.479 of 2021.

Respondent

For Petitioner: Mr.T.Leninkumar

For Respondents: Mr.P.Kottaichamy
Government Advocate (CrI.side)

ORDER

The petitioner is the sole accused in Special SC No.18 of 2022, on the file of the Mahila Court, Trichy. He was charged for the offence under Sections 366 IPC and Section 9 of the Prohibition of Child Marriage Act and Section 3(a) r/w 4(2) of the POCSO Act. After full-fledged trial, the petitioner was convicted and sentenced to



CRL MP(MD) NO. 99 of 2025

WEB COPY

undergo rigorous imprisonment for five years with a fine of Rs.5000/-, in default, he has to undergo simple imprisonment for three months for the offence under Section 366 IPC. He was also convicted and sentenced to undergo rigorous imprisonment for twenty years with a fine of Rs.10,000/-, in default to undergo simple imprisonment for six months, for the offence under Section 3(a) r/w 4(2) of POCSO Act, 2012. As against the conviction and sentence imposed by the trial Court, the petitioner has filed this application to suspend the sentence imposed on him by the trial Court.

2.The learned counsel appearing for the petitioner has relied on the statement of the victim girl, which was recorded under 164 of Cr.P.C before the Judicial Magistrate Court, Lalgudi on 29.07.2021 and submits that the victim girl has emotionally blackmailed the petitioner and taken him, however, in order to safeguard the victim girl, the case has been foisted in such a manner, as if this petitioner has taken the victim girl and married her. The learned counsel further submits that the victim girl has given her statement in different versions during the trial, since she was in the custody of her parents.

3.The learned Government Advocate (Crl.side) appearing for the respondent has relied on the evidence of the victim and submits that this petitioner alone emotionally blackmailed the victim and taken her, married her and also sexually abused her. The Judgment of conviction was passed by the trial Court only on



CRL MP(MD) NO. 99 of 2025

04.12.2024, based on the evidences including the doctor evidence placed before the trial Court. Therefore, the conviction and sentence imposed by the trial Court cannot be found fault with.

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4.This Court considered the rival submissions made and also perused the materials placed on record.

5.The victim girl was aged about 15 years and 7 months at the time of occurrence and she was studying 11th standard in a Government School. The petitioner herein was a neighbour in the Village and he was working in Coimbatore. They had friendship and that was objected by the parents of the victim girl. The victim girl has attempted to commit suicide, when her mother scolded her for having friendship with the petitioner. The petitioner claims that the victim girl has emotionally blackmailed the petitioner and on her compulsion, he has taken the victim. He has also admitted the same in the questioning under Section 313 Cr.P.C.

6.Considering the available materials, this Court is inclined to suspend the sentence imposed on the petitioner.

7. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge,



CRL MP(MD) NO. 99 of 2025

Mahila Court, Trichy and on further condition that the petitioner shall appear before
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the said Court on the first working day of every English Calender month at 10.30
a.m., till the disposal of the appeal.

sd/-
04/02/2025

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05/02/2025

Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN

TO

- 1 THE SESSIONS JUDGE, MAHILA COURT, TRICHY.
- 2 THE INSPECTOR OF POLICE, SIRUGANUR POLICE STATION,
TRICHY DISTRICT.
- 3 THE SUPERINTENDENT, CENTRAL PRISON, TRICHY.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.T.LENIN KUMAR, Advocate (SR-1361[I] dated 04/02/2025)

ORDER IN
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CRL A(MD) No.11 of 2025
Date :04/02/2025

RS/IT/SAR-(05.02.2025) 4P 6C
Madurai Bench of Madras High Court is issuing
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