



Crl.M.P.(MD)No.3471 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.04.2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.3471 of 2025

in Crl.A.(MD)No.329 of 2025

Pandi @ Pandian,
S/o.Subramani,
Kadamanayakkanur, Alambadi Post
Kujiliyamparai Taluk,
Dindigul District.

Petitioner(s)

versus

State of Tamilnadu, Rep. by
The Inspector of Police,
Kujiliyamparai Police Station,
Dindigul District.

Respondent(s)

For Petitioner(s):

Mr.R.Venkatesan
Advocate

For Respondent(s):

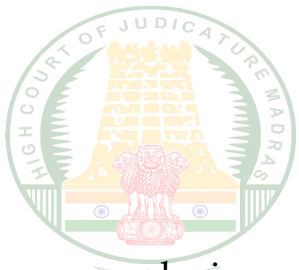
Mr.A.S.Abul Kalam Azad,
Government Advocate (Crl. Side)

ORDER

The petitioner is the sole accused in Spl.S.C.No.203 of 2023 on the file of the Special Court (POCSO Act Cases), Dindigul. He was tried for the offence under

Section 366 IPC and Section 6 of POCSO Act and Section 9 of Child Marriage Act. In

<https://www.mhc.tn.gov.in/judis>



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conclusion of trial, the trial Court, by its Judgment dated 29.11.2024, found the petitioner guilty for the offence under Section 366 IPC and Sections 6 of POCSO Act and Section 9 of Child Marriage Act and convicted and sentenced him as under:

(i) for the offence under Section 366 IPC, to undergo three years rigorous imprisonment and to pay a fine of Rs.5,000/-, in default to undergo six months simple imprisonment;

(ii) for the offence under Section 9 of Child marriage Act, to undergo two years rigorous imprisonment and to pay a fine of Rs.50,000/- in default to undergo six months simple imprisonment;

(ii) for the offence under Section 6 of POCSO Act, to undergo twenty years rigorous imprisonment and to pay a fine of Rs.1,00,000/-, in default, to undergo one year simple imprisonment.

Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.329 of 2025 and the same has been admitted by this Court on 17.03.2025. The petitioner has also moved this petition to suspend the sentence imposed by the trial Court.

2. The learned counsel appearing for the petitioner submits that the petitioner is the relative of P.W.2 and P.W.3. When the petitioner was aged about 17 years, without knowing the consequences, he fell in love with the victim girl and due to



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love affair, they had eloped. Thereafter, they have been rescued and the petitioner was prosecuted for the said offence.

3. The learned counsel for the petitioner further submits that the victim family and the accused family are close relatives. They are in fact intending to marry the victim girl to the petitioner. However, the petitioner, at the age of 17 years, without knowing the consequences, had committed the said offence, for which, he has been arrested and he is in jail from the date of conviction, i.e. from 29.11.2024. The learned counsel for the petitioner has also filed an additional typed set of papers along with the affidavits of P.W.2 and P.W.3 and also the affidavits of the parents of the petitioner that they are intending to marry the victim girl to the petitioner after she attains the age of 18 years.

4. Heard the learned Government Advocate (Crl. Side) appearing for the respondent Police.

5. Considering their relationship and the period of incarceration and the affidavits filed by P.W.2, P.W.3 and the petitioner's parents and also for the reasons that the appeal could not be taken up immediately, this Court is inclined to allow this petition.

6. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged



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on bail on the following conditions:

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(i) The petitioner shall execute a bond for Rs.25,000/- (Rupees twenty five thousand only), with two sureties each for a like sum to the satisfaction of the Special Court (POCSO Act Cases), Dindigul.

(ii) P.W.2 and P.W.3, the parents of the victim girl, shall stand as sureties for the petitioner.

(iii) The petitioner's parents and P.W.2 and P.W.3 shall file a similar affidavit as filed before this Court, before the respondent Police.

(iv) The petitioner's parents shall file an undertaking affidavit before the respondent Police that the petitioner will not disturb the victim girl till she attains majority.

(v) The petitioner shall report before the respondent Police daily at 10.30 a.m. until further orders.

sd/-
17/04/2025

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17/04/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

OGY
TO
1 THE SPECIAL JUDGE
(POCSO ACT CASES), DINDIGUL.

<https://www.hmc.tn.gov.in/judis>



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2 THE SUPERINTENDENT,
CENTRAL PRISON, MADURAI.

3 THE INSPECTOR OF POLICE,
KUJILIYAMPARAI POLICE STATION,
DINDIGUL DISTRICT.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

ORDER

IN

Crl.M.P.(MD)No.3471 of 2025

in Crl.A.(MD)No.329 of 2025

Date :17/04/2025

SA/SAR. /16.04.2025/5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023.