



Crl.MP(MD) No.3367 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT  
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DATED :25.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.3367 of 2025

in

Crl.A(MD) No.320 of 2025

Bronson

... Petitioner

Vs.

State of Tamil Nadu,  
Rep by the Inspector of Police,  
Kollangcode Police Station,  
Kollangcode,  
Kanyakumari District.  
Crime No.39 of 2018.

... Respondent

For Petitioner : Mr.S.Palanivelayutham  
For Respondent : Mr.A.S.Abulkalam Azad  
Government Advocate

### ORDER

The petitioner, an accused in Spl.SC.No.25 of 2018 was tried by the learned Sessions Judge,(FAC), Special Court for POCSO Act cases/ (Fast Track Mahila Court), Nagercoil, Kanyakumari District and he was found guilty by the trial Court,

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



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convicted and sentenced as under:-

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| Sl.No | Sections                 | Punishment                     | Fine amount | Default                      |
|-------|--------------------------|--------------------------------|-------------|------------------------------|
| 1     | 11(1) & 12 of POCSO Act. | 1 year Rigorous imprisonment   | Rs.1,000/-  | 3 months simple imprisonment |
| 2     | 506 (ii) IPC             | 6 months Rigorous imprisonment | Rs.1,000/-  | 3 months simple imprisonment |

As against the conviction and sentence imposed by the trial Court in Spl.SC.No.25 of 2018, dated 28.02.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.320 of 2025 and the same was admitted by this Court on 13.03.2025. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2.The case of the prosecution is that this petitioner has waylaid the victim girl, who was aged about 14 years and made a statement that he is intending to marry her. Therefore, on the complaint of the father of the victim girl, the case was registered as against him and he was also convicted as stated supra.

3.The learned counsel appearing for the petitioner submits that the petitioner has already undergone 2 ½ months imprisonment. He further submits that except the evidence of the victim girl and her parents, there is no other evidence as against this petitioner. He further submits that this petitioner is prepared to furnish sufficient sureties with an undertaking that he will not visit the occurrence village



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pending the appeal and he will be available for the trial.

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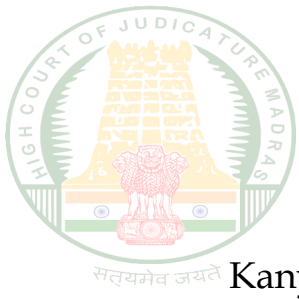
4.The learned Government Advocate submits that this petitioner is a married man, aged about 27 years at the time of occurrence. The petitioner has insisted the victim girl, who was aged about 14 years, to marry him. According to the learned Government Advocate, there was a similar incident in the earlier occasion, wherein the complaint was treated as petition enquiry.

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

6.It is reported that the petitioner has already undergone 1/3<sup>rd</sup> of the sentence. The petitioner has raised certain arguable points, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. In view of the above, this Court is inclined to suspend the sentence imposed on the petitioner with certain conditions.

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 the following conditions:-

- i. The petitioner shall execute a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties each for a like sum to the satisfaction of the Special Court for POCSO Act cases/Mahila Fast Track Court, Nagercoil,



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Kanyakumari.

- ii. The sureties and the petitioner shall file an undertaking affidavit before the respondent police that this petitioner will not misuse the liberty granted to him and he will not disturb the victim child at any point of time.
- iii. The petitioner shall stay at Rameshwaram and report before the Inspector of Police, Rameshwaram Police Station, daily at 10.30 a.m., for a period of 15 days and thereafter, once in a month on the first working day of every English Calender month at 10.30 a.m., till the disposal of the appeal.
- iv. The petitioner is not entitled for any modification of the conditions imposed on him.
- v. In the event, if the petitioner has violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

sd/-  
25/04/2025

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25/04/2025  
Sub-Assistant Registrar ( Judicial )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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To

1 THE JUDGE,  
SPECIAL COURT FOR POCSO ACT CASES/  
(FAST TRACK MAHILA COURT),  
NAGERCOIL,  
KANYAKUMARI DISTRICT.

2.The Inspector of Police,  
Kollangcode Police Station,  
Kollangcode,  
Kanyakumari District.

3.The Inspector of Police,  
Rameshwaram Police Station, Rameshwaram.

4 The Additional Public Prosecutor,  
Madurai Bench of Madras High Court, Madurai.

+1 CC to M/s.S.PALANI VELAYUTHAM, Advocate ( SR-4844[I] dated  
25/04/2025 )

ORDER  
IN

Crl.MP(MD) No.3367 of 2025

in

Crl.A(MD) No.320 of 2025

Date :25/04/2025

MK/SAR /25.04.2025 5P/6C

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