



CrI.M.P.(MD)No.5243 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14.03.2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

CrI.M.P.(MD)No.5243 of 2024

in CrI.A.(MD)No.425 of 2024

Karuppiah,
S/o.Gandhi,
East Street,
Vilampatti,
Nilakkottai Taluk,
Dindigul District.

Petitioner(s)

versus

The State rep. by the
Inspector of Police,
Vilampatti Police Station,
Dindigul District.
(Crime No.177 of 2022)

Respondent(s)

For Petitioner(s):

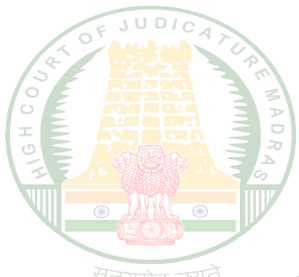
Mr.E.Mareeskumar
Advocate

For Respondent(s):

Mr.P.Kottaichamy
Government Advocate (CrI. Side)

ORDER

The petitioner is the sole accused in Spl.S.C.No.212 of 2023 on the file of the Special Court for Exclusive Trial of Cases under POCSO Act, Dindigul. After the



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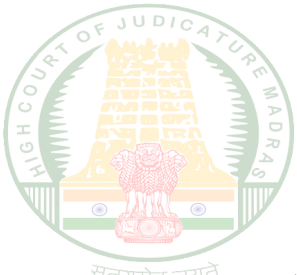
trial, the trial Court, by its Judgment dated 19.01.2024, found the petitioner guilty for
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the offence under Section 6 of POCSO Act and convicted and sentenced him to undergo 20 years rigorous imprisonment and to pay a fine of Rs.5,000/- with default sentence of six months simple imprisonment. Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.425 of 2024 along with a petition for suspending the sentence. The Criminal Appeal was admitted by this Court on 16.05.2024.

2. The case of the prosecution is that the petitioner, by making the victim girl to believe that he would marry her, had physical relationship with her. At the time of occurrence, the age of the victim girl was 14 years and the age of the petitioner was 23 years.

3. The learned counsel appearing for the petitioner submits that the petitioner has committed the offence without knowing the consequences. Now, the petitioner is ready to marry the victim girl after she attains majority. He has also filed an affidavit to that effect.

4. When this Court verified about the willingness of the victim girl and her



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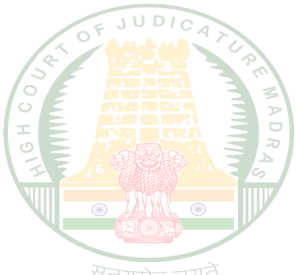
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parents on the proposal made by the petitioner, the learned Government Advocate (Crl. Side) submits that the victim girl as well as her parents have opposed for the same.

5. The petitioner has come forward with another affidavit that he will stay away from the place of occurrence and he will not disturb the victim girl at any point of time.

6. Considering the period of incarceration and also considering the fact that the petitioner has committed the offence without knowing the consequences and also considering the affidavit filed by the petitioner that he will not visit the place of occurrence pending the appeal and for the reasons that the appeal could not be taken up immediately, this Court is inclined to allow this petition.

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 Mahila Court, Dindigul and on further conditions that the petitioner shall stay at Thondi and report before



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the Inspector of Police, D-2 Thondi Police Station, Thondi, daily at 10.30 a.m. for a period of 30 days and thereafter, once in a week, i.e on every Monday at 10.30 a.m. until further orders. Further, the petitioner shall report before the trial Court once in a month, i.e. on the first working day of every English Calender month at 10.30 a.m., till the disposal of the appeal. The petitioner shall not visit the village of occurrence and not disturb the victim girl, till the disposal of the appeal.

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

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TO

- 1 THE JUDGE, SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT, DINDIGUL.
- 2 THE JUDGE,
MAHILA COURT, DINDIGUL.
- 3 THE SUPERINTENDENT
CENTRAL PRISON, MADURAI.
- 4 THE INSPECTOR OF POLICE
VILAMPATTI POLICE STATION, DINDIGUL DISTRICT.
- 5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.



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COPY TO:

THE INSPECTOR OF POLICE
D-2 THONDI POLICE STATION, THONDI.

+1 CC to M/s.E.MAREESKUMAR, Advocate (SR-2849[I] dated 14/03/2025)

ORDER
IN
CRL MP(MD) No.5243 of 2024
in Crl.A.(MD)No.425 of 2024
Date :14/03/2025

SS/VR/SAR- /17/03/2025/ 5P/8C

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