



CRL MP(MD) NO. 6477 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09-05-2025

CORAM

THE HONOURABLE MR.JUSTICE R.SAKTHIVEL

CRL MP(MD) NO. 6477 of 2025

in

CRL A(MD) NO. 579 OF 2025

1.Kalaivanan

S/o. Ananthan, Perumalpatti Colony, Amman Nagar,
Kallumadai, Karur District.

2.Gokulnath

S/o.Jeyabal,
Maruthampatti Colony,
Kallumadai Post,
Karur District.

3.Parthiban,

S/o.Murugesan,
No.225, Vaiyapuri Nagar 2nd Cross,
Senguntha Nagar,
Karur District.

Petitioner(s)

Vs

The State of Tamil Nadu,
Rep. by The Inspector of Police, All Women Police Station,
Karur District. (In Crime No. 13/2020)

Respondent(s)

For Petitioner(s):

Mr.N. Balasubramanian

For Respondent(s):

Mr.S.S.Manoj
Government Advocate (Crl.side)



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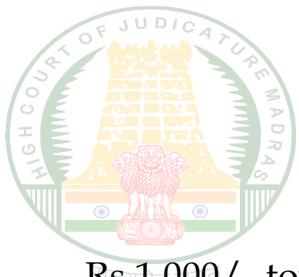
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ORDER

This petition has been filed under Section 430 of BNSS, 2023 @ 389(1) of Cr.P.C., praying to suspend the sentence imposed in Spl.S.C.No.40 of 2021, dated 16.04.2025, passed by the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur, and to grant bail to the petitioners, pending disposal of the Criminal Appeal. The petitioners herein are accused Nos.4 to 6 before the Special Court.

2.The case of the prosecution is that on 06.08.2020, at about 05.00 pm., when the victim stood at the Mini Bus-stand, the accused 1 and 2 came there, kidnapped her to another place, abused her and made her nude. At that time, the other accused including the petitioners herein/accused 4 to 6 came there and the third accused shoot her nude body in his mobile phone and threatened her to share the video through whats-app and the petitioners herein attached the accused 1 and 2. Hence, the complaint.

3.The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment on 16.04.2025, convicting the petitioners for the offence under Section 15 r/w 17 of Protection of Child from Sexual Offences Act, 2012 and sentenced them to undergo rigorous imprisonment for a period of three years and to pay a sum of



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Rs.1,000/- towards fine, in default, to undergo simple imprisonment for a period of
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one month.

4.The learned counsel for the petitioners would submit that after the judgment was rendered, the petitioners have filed an application in CrI.M.P.No.136 of 2025 before the trial Court to suspend the sentence and the same was allowed by the trial Court and thereby, sentence of imprisonment alone has been suspended till 15.05.2025.

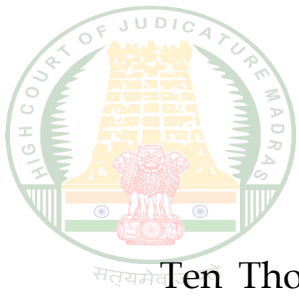
5.The learned Government Advocate (CrI.side) would fairly concede that the trial Court has suspended the sentence of imprisonment alone till 15.05.2025.

6.This Court has carefully considered either sides submissions and perused the materials available on record.

7.Considering the fact that the trial Court has already suspended the sentence of imprisonment imposed to the petitioners till 15.05.2025 and also considering the facts and circumstances of the case, this Court is of the prima facie view that the sentence is to be suspended pending this Criminal Appeal.

8.Accordingly, this Criminal Miscellaneous Petition is allowed. The sentence of imprisonment imposed by the Additional Sessions Judge, (Fast Track Mahila Court), Karur, in Spl.S.C.No.40 of 2021, dated 16.04.2025 is alone suspended subject to the following conditions:-

- i) The petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees



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Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur.

ii) The petitioners shall appear and sign before the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur, on the first working day of every English calender month at 10.30 a.m., until further orders.

iii) In case, the petitioners are unable to appear before the Court on the first working day of a month, they shall appear on the next working day.

iv) The petitioners shall furnish their residential address and mobile number to the learned Additional Sessions Judge, (Fast Track Mahila Court), Karur.

v) The petitioners shall not enter into the victim's residence or her work place.

sd/-
09/05/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To मेव जयते

1 THE ADDITIONAL SESSIONS JUDGE,
(FAST TRACK MAHILA COURT), KARUR.

2 The Inspector of Police,
All Women Police Station,
Karur District.

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

ORDER

IN

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IN

CRL A(MD) No.579 of 2025

Date :09/05/2025

MK/SAR /16.05.2025 5P/4C

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