



CRL MP(MD) No.7073 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 30-07-2025

CORAM

THE HONOURABLE DR JUSTICE R.N.MANJULA

CRL MP(MD) No.7073 of 2025

in

CRL A(MD) No.644 of 2025

Mari @ Marimuthu

... Petitioner/ Appellant

Vs

The State of Tamil Nadu
Rep by The Inspector of Police,
Alwa Thirunagari Police Station,
Thoothukudi District.

Crime No.260 of 2014

... Respondent/ Complainant

For Petitioner(s) :
Mr.A.S.Vaigunth

For Respondent(s) :
Mr.A.Albert James
Government Advocate (Crl. Side)

PRAYER: This Petition is filed under Section 430(1) of BNSS praying to suspend the sentence imposed against the petitioner by the learned Sessions Judge /Special

Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi, Thoothukudi

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



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District, in Special S.C.No.62/2021 dated 04.04.2025 and enlarge the petitioner on
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bail, pending disposal of the criminal appeal.

ORDER

The Criminal Miscellaneous Petition is filed to suspend the sentence imposed by the learned Sessions Judge /Special Court for Exclusive Trial of Cases under POCSO Act, Thoothukudi, Thoothukudi District, dated 04.04.2025 in Special S.C.No.62/2021 till the disposal of appeal.

2.The learned counsel for the petitioner submitted that the petitioner has been convicted and sentenced by the learned Trial Judge in the following manner:

Provisions under which convicted	Sentence of imprisonment	Fine amount
452 IPC	1 year rigorous imprisonment	Rs.1,000/- in default to undergo 1 month simple imprisonment
12 of POCSO Act	2 years rigorous imprisonment	Rs.2,000/- in default to undergo 1 month simple imprisonment
8 of POCSO Act	5 years rigorous imprisonment	Rs.5,000/- in default to undergo 2 months simple imprisonment

The sentences were ordered to run concurrently.

<https://www.mhc.tn.gov.in/> 3. The case of the prosecution as it appears from the records that the victim is a



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child, whose date of birth is 08.07.1998. the accused stands in brother's relationship to her. On 19.07.2014 at about 11.00 am., when the victim was alone, the accused trespassed into her house, gorged her mouth, hugged her and committed sexual assault.

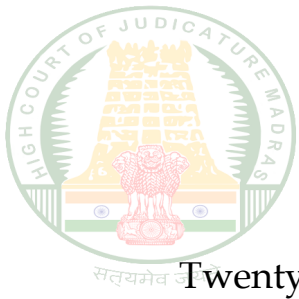
4. The learned counsel for the petitioner submitted that the petitioner was confined in jail from 04.04.2025 onwards and he has given an undertaking that he will abide by any condition that may be imposed by this Court.

5. The learned Government Advocate (Crl. Side) submitted that the prayer for suspension of sentence can be considered on conditions.

6. As there is no possibility of taking up the appeal within a short period, I feel it is appropriate to suspend the sentence of imprisonment alone on conditions.

7. Accordingly, this Criminal Miscellaneous Petition is allowed and the substantive part of the sentence of imprisonment alone is suspended on the following conditions:

i. that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees



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Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Exclusive trial of cases under POCSO Act, Thoothukudi, Thoodhukudi District;

ii. that the petitioner shall appear before the said Court daily at 10.30 am., until further order.

sd/-
30/07/2025

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/07/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

RMK

TO

1 THE SESSIONS JUDGE,
SPECIAL COURT FOR EXCLUSIVE TRIAL OF CASES
UNDER POCSO ACT,
THOOTHUKUDI,
THOODHUKUDI DISTRICT

2 THE INSPECTOR OF POLICE,
ALWARTHIRUNAGARI,
ALWAR THIRUNAGARI POLICE STATION,
THOOTHUKUDI DISTRICT.

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



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ORDER
IN
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IN
CRL A(MD) No.644 of 2025
Date :30/07/2025

NM/30.07.2025/ 5P/4C

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