



CrL.M.P.(MD) No.7621 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 09.12.2025

CORAM

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

**CRL.MP(MD) No.7621 of 2025
in
CrL.A(MD)No.269 of 2025**

Kannan : Petitioner/Sole Accused

Vs.

**The State rep. By
The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
(Crime No.525 of 2021)**

: Respondent/Complainant

Prayer : Petition filed under Section 389(1) of Cr.P.C r/w 430 of BNSS to suspend the sentence imposed in Special S.C.No.41 of 2021, dated 02/09/2022, on the file of the Sessions Judge, (Mahila Court), Pudukkottai and enlarge the petitioner on bail pending disposal of the criminal appeal.

For Petitioner : Mr.S.Sivasubramanian

**For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor**



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ORDER

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[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

This criminal miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner by the Sessions Judge (Mahila Court), Pudukkottai, in Special S.C.No.41 of 2021, dated 02/09/2022 and to enlarge the petitioner on bail pending disposal of the criminal appeal.

2.The petitioner/Sole Accused stands convicted and sentenced as under:-

Section of Law	Sentence of imprisonment	Fine amount
Section 5(m) r/w 6(1) of POCSO Act, 2012 (Amendment Act, 2019)	Life Imprisonment	Rs.1,00,000/-, in default to undergo RI for one year
Section 363 IPC	Rigorous Imprisonment for 7 years	Rs.20,000/-, in default to undergo simple imprisonment for 6 months.

3.Heard the learned counsel on either side and perused the materials available on record.



CrL.M.P.(MD) No.7621 of 2025

WEB COPY

4.While pending this petition, today the victim girl along with her parents appeared before this Court and also filed an affidavit to the effect that the victim girl and the petitioner are close relatives and now the petitioner is willing to marry the victim girl. The victim girl and her parents also willing to marry the petitioner and deposed before this Court to that effect. The petitioner has also filed an affidavit before this Court and undertakes to marry the victim girl and report before this Court.

5.Considering the above facts and circumstances of the case, this criminal miscellaneous petition is allowed and the substantive sentence of imprisonment alone is suspended subject to the following conditions:-

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge (Mahila Court), Pudukkottai.

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.



CrL.M.P.(MD) No.7621 of 2025

WEB COPY

iii. The petitioner shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calendar month, till the disposal of the Criminal Appeal.

iv. The petitioner shall marry the victim girl on or before 05/01/2026 and register the marriage before the concerned authorities and produce the marriage certificate before this Court on or before **06/01/2026.**

6.Post the matter, on 06/01/2026 for reporting compliance.

[G.K.I., J.] & [R.P., J.]
09.12.2025

NCC : Yes / No
Index : Yes / No
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Note: Issue order copy on 10/12/2025



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To,

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- 1.The Sessions Judge,
(Mahila Court), Pudukkottai.
- 2.The Inspector of Police,
Viralimalai Police Station,
Pudukkottai District.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.
- 4.The Superintendent,
Central Prison,
Trichy.



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