

Crl.O.P.(MD)No.14104 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 08.09.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.O.P.(MD).No.14104 of 2025

Arunkumar

... Petitioner/Sole Accused

Vs.

1.State of Tamilnadu represented by
The Inspector of Police,
All Women Police Station,
Kodaikanal
Dindigul District
(Crime No.9 of 2024)

... 1st Respondent/Complainant

2.Renugadevi

... 2nd Respondent/Defacto Complainant

3.*****

Dindigul District

...3rd Respondent/P.W.2/Victim

Prayer: Criminal Original Petition is filed under Section 482 of Criminal Procedure Code, to call for the entire records pertaining to the Charge Sheet in Spl.SC.120/2024 on the file of the Fast Track Mahila Court, Dindigul in Crime No.9 of 2024 on the file of the first respondent and quash the same.

For Petitioner : Mr.R.Venkatesan

For R-1 : Mr.R.M.Anbunithi
Additional Public Prosecutor

For R-3 : Mr.Balu Rajasekaran



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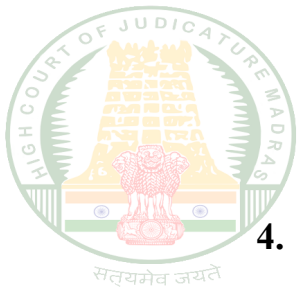
ORDER

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The petitioner, who has been arrayed as sole accused of an offence under Sections 5(1), 5(j)(ii) r/w 6 of POCSO Act, has filed this petition seeking to quash the Charge Sheet in Spl.S.C.No.120 of 2024 on the file of the Fast Track Mahila Court, Dindigul, in Crime No. 9 of 2024.

2. This petition has been filed mainly on the ground that the petitioner, now aged 20 years, had a love affair with the victim girl, now aged 18 years, and thereafter married her after she attained majority; and that out of the wedlock, a child was born, who is now eight months old. The petitioner and the victim girl along with the child are present before this Court and confirmed that the petitioner and the victim are now married.

3. However, it is now reported by the learned Additional Public Prosecutor appearing for the first respondent/State that pending this quash petition, today morning i.e on 08.09.2025, the learned Sessions Judge, Fast Track Mahila Court, Dindigul, convicted the petitioner for the offence under Section 6 of POCSO Act and sentenced him to undergo 20 years (R.I) and a fine of Rs.1000/- in default to pay the fine amount, the petitioner shall undergo 6 months (S.I).



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4. The learned counsel for the petitioner would submit that since the present quash petition is listed today i.e on 08.09.2025, the petitioner was present before this Court and hence he could not appear before the Sessions Court and hence, the Sessions Court has issued Non Bailable Warrant against the petitioner.

5. This Court is of the view that since the Sessions Court has already passed a judgment, it would not be proper for this Court to exercise its power under Section 482 of Cr.P.C. to quash the proceedings at this stage. At this juncture, the learned counsel for the petitioner would submit that the petitioner would file an appeal against the judgment of conviction and, in the meantime, if he is arrested, the petitioner and the victim, who have an eight-month-old child, would be put to irreparable loss and hardship.

6. Therefore, considering the peculiar facts and circumstances, this Court, in the exercise of its power under Section 482 of Cr.P.C., is inclined to grant an order of interim stay of the execution of the Non Bailable Warrant dated 08.09.2025 issued by the Sessions Court, Fast Track Mahila Court, Dindigul, for a period of four weeks from the date of receipt of a copy of this order, to enable the petitioner to seek appropriate remedy in the appeal to be filed.



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WEB COPY 7. With the above direction, this Criminal Original Petition is disposed of.

08.09.2025

NCC : Yes / No
Index : Yes / No
Internet : Yes/ No

CM/JEN

To

- 1.The Fast Track Mahila Court,
Dindigul
- 2.The Inspector of Police,
All Women Police Station,
Kodaikanal
Dindigul District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SUNDER MOHAN, J.

CM

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