



CrL.M.P.(MD) No.9859 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2025

CORAM

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

**CRL.MP(MD) No. 9859 of 2025
in
CrL.A(MD)No.805 of 2025**

Devika

..... Petitioner

Vs.

State rep. by
The Inspector of Police
Chathirapatti Police Station,
Dindigul District
(Crime No.318 of 2021)

..... Respondent

Prayer : Petition filed under Section 430(1)BNSS to suspend the sentence imposed against the petitioner in Spl.S.C.No.147 of 2023 by the Special Court(POCSO Act Cases) Dindigul dated 13.11.2024 and release the petitioner on bail till the disposal of the main criminal appeal

For Petitioner : Dr.R.Alagumani

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.]

Seeking to suspend the sentence imposed on the petitioner by the Special Court(POCSO Act Cases) Dindigul, *vide* Judgment dated 13.11.2024 in Spl.S.C.No.147 of 2023, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
366(A) of IPC	Three years rigorous imprisonment	Rs.5000/- I/d to under six months simple imprisonment
17 of POCSO Act	Life imprisonment	Rs.1,00,000/- i/d to under to one year simple imprisonment
Section 11 of the Prohibition of Child Marriage Act	Two years rigorous imprisonment	Six months simple imprisonment

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



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4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2025 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

5.. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein 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 Special Court(POCSO Act Cases) Dindigul

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.



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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.

[G.K.I., J.] & [R.P., J.]
04.12.2025

NCC : Yes / No
Index : Yes / No
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Copy to

1. The Special Court(POCSO Act Cases) Dindigul
2. The Special Prison for Women, Madurai
- 3.The Inspector of Police
Chathirapatti Police Station,
Dindigul District
- 4.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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AND
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