



CRL MP(MD) No.10592 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.08.2025

CORAM

THE HONOURABLE Dr. JUSTICE R.N.MANJULA

CRL MP(MD) No.10592 of 2025

in CRL A(MD) No. 851 of 2025

Premkumar

...Petitioner/Sole Accused

Vs.

The State of Tamil Nadu,
Represented by the
Inspector of Police,
Pattiveeranpatti Police Station,
Dindigul District
(Crime No.170 of 2024)

...Respondent/Respondent

PRAYER : This Criminal Miscellaneous Petition is filed under Section 430 (1) of BNSS, to suspend the sentence and grant bail to the appellant/sole accused against the judgment dated 21.07.2025 in Spl.S.C.No.115 of 2024 on the file of the Sessions Judge, Mahila ast Track Court, Dinidigul, pending disposal of the criminal appeal.

For Petitioner : Mr.P.Manikandan

For Respondent : Mr.K.Gnanasekaran

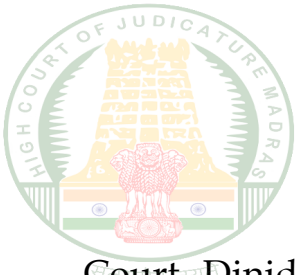
Government Advocate(Crl.side)

ORDER

The Criminal Miscellaneous Petition is filed to suspend the sentence of

imprisonment imposed on the petitioner by the Sessions Judge, Mahila ast Track

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



CRL MP(MD) No.10592 of 2025

Court, Dinidigul, in Spl.S.C.No.115 of 2024 dated 21.07.2025 and enlarge him on
WEB COPY
bail pending disposal of above appeal.

2. The appellant is the sole accused, who has been found guilty and convicted for the offence under Section 366 of IPC and Section 4 of POCSO Act and sentenced to undergo the rigorous imprisonment for seven years and to pay a fine of Rs.10,000/-, in default to undergo simple imprisonment for a further period of three months for the offence under Section 366 of IPC; to undergo rigorous imprisonment for ten years and to pay a fine of Rs.15,000/-, in default to undergo simple imprisonment for a further period of six months.

3. The case of the prosecution is that the victim girl was the minor at the time of occurrence and she was a child within the definition of POCSO Act. On 23.04.2024 at about 04.00 am., when the victim's parents left for temple, the victim girl left her home and went to the Singarakottai bus stop and met the accused. He took her to Madurai by bus and went to his friend's house. On the same day, the victim girl was subjected to sexual intercourse. On the complaint given by the victim's parents, case was registered. Thereafter, the accused left the victim girl at Vatthalakundu bus stand. The victim girl went to Pattiveeranpatti Police Station, where she was reunited with her parents.

4. After full-pledged trial, the accused was found guilty for the offence under



CRL MP(MD) No.10592 of 2025

Section 366 of IPC and Section 4 of POCSO Act and convicted and sentenced him as
WEB COPY
stated supra.

5. The learned counsel appearing for the appellant submitted that it is the case of love affair between the victim girl and the accused/appellant. The victim girl was not kidnaped by the appellant. The victim girl left her house on her own volition, as her mother arranged her marriage with her maternal uncle (her mother's brother) against her will. The age of the victim girl has not been proved. Even according to her statement, she has stated that she had fallen in love with the appellant and told him to take care of her, otherwise she would end her life.

6. Today, the parents of the victim girl appeared before this Court. They submitted that there is no threat from the accused and the accused and the victim girl married and they are living separately.

7. This Court has carefully considered the contentions made and also perused the materials available on record.

8. The learned counsel for the petitioner/appellant pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars and there is no previous case pending against the petitioner.

9. Considering the fact that there are arguable points involved in this criminal appeal and there is no possibility to take up the appeal immediately, I feel it is



CRL MP(MD) No.10592 of 2025

appropriate to suspend the sentence of imprisonment alone on conditions.

WEB COPY

10. Accordingly, this petition is allowed and the substantive part of the sentence of imprisonment alone is suspended and the petitioner/appellant is directed to be enlarged on bail on the following conditions:

- (i) that the petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Sessions Judge, Mahila Fast Track Court, Dindigul;
- (ii) that the petitioner shall appear before Sessions Judge, Mahila Fast Track Court, Dindigul, daily at 10.30 a.m. till the disposal of appeal.

sd/-
20/08/2025

/ TRUE COPY /

21/08/2025
Sub-Assistant Registrar
()
Madurai Bench of Madras High Court,
Madurai - 625 023.

cm

TO

1.The Sessions Judge,
Mahila Fast Track Court, Dindigul.

2.The Superintendent, Central Prison, Madurai.

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



CRL MP(MD) No.10592 of 2025

3.TheInspector of Police,
Pattiveeranpatti Police Station,
Dindigul District.

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

ORDER
IN
CRL MP(MD) No.10592 of 2025
Date :20/08/2025

SBN/21.08.2025 5P/5C

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