



Crl.MP(MD) No.13002 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :29.04.2025

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.13002 of 2024

in

Crl.A(MD) No.1048 of 2024

Manikandan

... Petitioner

Vs.

State of Tamil Nadu,
Rep by the Inspector of Police,
Kulasekarapattinam Police Station,
Thoothukudi District.
Crime No.240 of 2018

... Respondent

For Petitioner : Mr.S.Ramesh

For Respondent : Mr.P.Kottaichamy

Government Advocate (Crl.side)

ORDER

The petitioner, an accused in Spl.SC.No.24 of 2020, on the file of the Mahila Court, Additional POCSO Court, Thoothukudi was found guilty by the trial Court and was convicted and sentenced to undergo 10 years rigorous imprisonment with fine of Rs.3,000/- for the offence under Section 5(1) r/w 5(j)(ii) r/w 6 of Protection of Children from Sexual Offences Act, 2012 and default sentence of three months simple imprisonment was also imposed on him. As against the conviction and sentence imposed by the trial Court in Spl.SC.No.24 of 2020, dated 31.07.2024, the petitioner



Crl.MP(MD) No.13002 of 2024

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has filed a Criminal Appeal in Crl.A(MD) No.1048 of 2024 and the same was admitted by this Court on 02.12.2024. The petitioner has also moved this application to suspend the sentence imposed on him.

2.The learned counsel appearing for the petitioner submitted that it is only a love affair between the petitioner and the victim girl. Without realizing the consequences, they had physical relationship, out of which, a child was also born to the victim girl. In fact, the petitioner was intending to marry her, however, his parents have not permitted him and arranged his marriage with another girl. This petitioner is willing to execute a property in S.No.40/2A, Kalankudiyiruppu Village, Udangudi, Thoothukudi District, worth of Rs.1,63,400/-, in favour of the child born to this petitioner through the victim girl. For the purpose of executing a document in favour of the child, the learned counsel requested interim bail to this petitioner for a period of two weeks.

3.Considering the submissions made by the learned counsel for the petitioner and taking into consideration of the welfare of the child, this Court, by its order, dated 26.03.2025, has granted an interim bail to this petitioner from 07.04.2025 to 24.04.2025 for executing a document in favour of his child and he was directed to surrender before the Central Prison, Palayamkottai on 24.04.2025.

4.Though interim bail was granted to this petitioner, he has not executed any



Crl.MP(MD) No.13002 of 2024

document in favour of his child as undertook by him, before this Court. This
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petitioner has also surrendered before the trial Court on 24.04.2025.

5.Considering the attitude of this petitioner that this petitioner has given an undertaking that he will execute a document in favour of his child and obtained an interim order from this Court and thereafter, he has not complied with his undertaking, this Court is not inclined to entertain this petition.

6.Accordingly, this Criminal Miscellaneous Petition is dismissed.

sd/-
29/04/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

VRN
TO
1 THE JUDGE,
MAHILA COURT / ADDITIONAL POCSO COURT,
THOOTHUKUDI.

2 THE SUPERINTENDENT,
CENTRAL PRISON, PALAYAMKOTTAI.

3 THE INSPECTOR OF POLICE,
KULASEKARAPATTINAM POLICE STATION,
THOOTHUKUDI DISTRICT.

4 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.1048 of 2024
Date :29/04/2025

SA/SAR. /20.05.2025/4P/5C

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