



WEB COPY

CRL MP No. 3396 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-02-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**CRL MP No. 3396 of 2026
in Crl.A.No.1318 of 2025**

Sambath
S/o.Ponnusamy,
No. 1/31, South Street,
Kaikalathur Veppanttai Kaikalathur (West),
Perambalur,
Tamilnadu 621 117.

..Petitioner(s)

Vs

1. V.Velmurugan
S/o.Velusamy,
Pillaiyar Kovil Street,
Kaikalathur village, Vepanthattai Taluk,
Perambalur District
2. The State Rep. by The Inspector of Police
All Women Police Station, Mangalamedu,
Perambalur

..Respondent(s)

Prayer: This Criminal Miscellaneous Petition is filed under Section 483(3) of BNSS, to cancel the suspension of sentence and cancel the bail granted on 28.11.2025 in Crl.M.P.No. 22767/20255 in Crl.A.No. 1318/2025 and thus render justice.

For Petitioner(s): Ms.Mohanapriya M

For Respondent(s): Mr.S.Nirmal Aditya
for R1
Mr.S.Balaji
Government Advocate (Crl. Side)
for R2



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ORDER

The petitioner is the father of the victim girl in Spl.S.C.No.66 of 2019.

2.The first respondent herein was granted suspension of sentence by this Court by the order dated 28.11.2025 on the ground that the appeal is not likely to be taken up in the near future and the respondent had made out a *prima facie* case for suspension of sentence and after recording the statement of the learned counsel for the accused that the accused and victim got married and are living happily.

3.However, it is the case of the petitioner, that the victim never got married to the first respondent and that the first respondent is making false claim at every stage of the proceedings that they are married and living together happily.

4.The learned counsel for the first respondent *per contra* submitted that the fact that the victim and the first respondent got married cannot be disputed as the victim who represented the minor child in a suit filed for partition in O.S.No.500 of 2022 had admitted the marriage and their subsequent break up would not mean that there was no marriage.



5. On perusal of the plaint in the above referred suit, this Court is of the view that the victim had admitted the marriage. This Court is of the view that the observation that both of them are living together happily, may not be factually correct. However, that may not be a ground to cancel the bail. This Court had granted bail, since the first respondent made out a ground for suspension of sentence.

6. Therefore, the Criminal Miscellaneous Petition is dismissed.

26-02-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

TSG

To

1. The learned Sessions Judge, Mahila Court, Perambalur.
2. The Inspector of Police
All Women Police Station, Mangalamedu,
Perambalur.
3. The Public Prosecutor, Madras High Court.



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SUNDER MOHAN, J.

TSG

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