



CRL.MP.No.6487 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-04-2026

CORAM

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

CRL.MP.No.6487 of 2026
in CRL.A.No.99 of 2026

R.Chinnavedi

..Petitioner(s)

Vs.

The State rep.by,
The Inspector of Police,
Adiyamankottai Police Station,
Dharmapuri District.
Cr.No.1288 of 2020.

..Respondent(s)

Prayer : Criminal Miscellaneous Petition filed under Section 389(1) of CrI.P.C, praying to suspend the sentence of imprisonment imposed in the judgment dated 31.10.2025 made in Spl.SC.No.110 of 2023 on the file of the learned Sessions Judge (FAC), Special Court to deal with cases related to Protection of Children from Sexual Offences Act, Dharmapuri and enlarge the petitioner on bail, pending disposal of the above CrI.A.No.99 of 2026 before this Court.

For Petitioner : Mr.N.Manokaran

For Respondent : Ms.J.R.Archana,
Government Advocate (Criminal Side)



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ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned Sessions Judge (FAC), Special Court to deal with cases related to Protection of Children from Sexual Offences Act, Dharmapuri, in Spl.S.C.No.110 of 2023 vide judgment dated 31.10.2025 and to enlarge the petitioner/appellant on bail, pending disposal of the Criminal Appeal.

2. The conviction and sentence imposed against the petitioner/appellant, vide impugned judgment are as follows:-

<i>Under Section</i>	<i>Sentence</i>
366 of IPC	10 years R.I. and fine of Rs.3,000/-, in default, to undergo 1 year S.I.
9 of the Protection of Children from Sexual Offences Act, 2012	2 years R.I.
5(1) r/w. 6(1) of the Protection of Children from Sexual Offences Act, 2012	14 years R.I. and fine of Rs.10,000/-, in default, to undergo 1 year S.I.
The sentences were ordered to run concurrently.	



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3. The prosecution's case is that the petitioner/appellant induced the minor victim girl (P.W.3), aged 17 years at the time of occurrence, kidnapped her from her lawful guardianship, performed a child marriage and subjected her to penetrative sexual assault.

4. During the trial, the prosecution examined 15 witnesses and marked 20 documents. However, no evidence, either oral or documentary, was adduced on behalf of the defence. When the petitioner/appellant was questioned under Section 313 of Cr.P.C., he denied all incriminating circumstances.

5. After hearing the arguments of both sides, the trial Court found the petitioner/appellant guilty and convicted him as aforementioned. Aggrieved by the said conviction and sentence, the petitioner/appellant has preferred the present appeal along with a petition seeking suspension of sentence and his enlargement on bail.



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6. Mr.N.Manokaran, learned counsel appearing for the petitioner/appellant, submitted that the evidence on record reveals a *bona fide* love affair between the petitioner/appellant and the victim girl, who are neighbours hailing from the same village. While the prosecution alleges the victim girl's age to be between 17 and 18 years, no legal evidence has been produced to conclusively prove that she was a minor at the time of occurrence, despite the fact that she had completed 10th standard and was pursuing her Higher Secondary (+2). The learned counsel further submitted that since the relationship was consensual and rooted in mutual affection, this factor ought to be considered while deciding the plea for bail. Given that the prosecution has failed to conclusively establish the age of the victim girl, the petitioner/appellant has a strong *prima facie* case for acquittal. Further, he submitted that there are arguable points in the Criminal Appeal, which is unlikely to be taken up for final hearing in the near future and that the petitioner/appellant has a fair chance of succeeding in the appeal and hence, the sentence imposed on the petitioner/appellant may be suspended and the petitioner/appellant may be enlarged on bail.



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7. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent, submitted that the petitioner/appellant induced the minor victim girl and kidnapped her from her lawful guardianship. The petitioner/appellant allegedly took her to a temple to perform an illegal child marriage and subsequently, subjected her to penetrative sexual assault. The age of the victim girl was established through the school certificate (Ex.P9), which was duly proved through the testimony of the Headmaster (P.W.8). Hence, she submitted that the prosecution has established the case beyond reasonable doubt and the petitioner/appellant has not made out any case for suspension of sentence and his subsequent release on bail.

8. Heard the learned counsel for the petitioner/appellant and the learned Government Advocate (Criminal Side) for the respondent and perused the materials on record.

9. Considering the facts and circumstances of the case and the submissions made by the learned counsel on either side, this Court is inclined to grant the relief of suspension of sentence imposed on the



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petitioner/appellant and the petitioner/appellant is ordered to be released on bail.

10. Accordingly, till the disposal of the appeal, the substantive sentence of imprisonment alone is suspended and the petitioner/appellant is ordered to be released on bail, subject to the following conditions:-

i. The petitioner shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge (FAC), Special Court to deal with cases related to Protection of Children from Sexual Offences Act, Dharmapuri.

ii. The sureties shall affix their photographs and left thumb impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Passbooks to ensure their identities.

iii. The petitioner shall appear before the Trial Court on the first working day of every English calendar month at 10.30 a.m., until further orders.

iv. The petitioner shall not communicate either with the victim



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girl or her parents. Further, the petitioner shall not enter into the jurisdictional limits of the Dharmapuri Town Police Station, until further orders from this Court, except for the purpose of attending the Court proceedings.

11. Accordingly, this Criminal Miscellaneous Petition stands ordered.

15-04-2026

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

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To

1.The Inspector of Police,
Adiyamankottai Police Station,
Dharmapuri District.

2.The Sessions Judge (FAC),
Special Court to deal with cases related to
Protection of Children from Sexual Offences Act,
Dharmapuri.

3.The Superintendent,
Central Prison, Salem.

4.The Public Prosecutor,
High Court of Madras.



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