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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 21208 of 2026
in CRL A No. 1385 of 2026

1. Mathivanan

2. Indira

..Petitioner(s)

Vs

The State Rep. by,
The Inspector of Police,
Town Police Station,
Karaikal District.
Crime No.256 of 2024.

..Respondent(s)

Prayer: The Criminal Miscellaneous Petition has been filed under Section 430(1) of BNSS, 2023, to suspend the sentence passed Judgment in Spl.SC.No.21 of 2025 on the file of the Special Court(Under POCSO Act,2012) Karaikal dated 06.10.2026 on the file of the Special Court(Under POCSO Act,2012) Karaikal pending disposal of the above Criminal Appeal.

For Petitioner(s): Mr.S.Vinoth Kumar
For Respondent(s): Mr. A. Alexander,
Government Advocate (Puducherry)

ORDER

The Criminal Appeal challenges the Judgment passed in Spl.S.C.No.21 of 2025 by the learned Special Court(Under POCSO Act, 2012) Karaikal, holding the petitioners guilty of the offences under Section 83 r/w 3(5) of BNS Act and sentencing both of them to undergo three years rigorous imprisonment and to

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pay a fine of Rs.10,000/- and in default, to undergo three months simple imprisonment.

2.The case of the prosecution is that the son of the petitioners, who is arrayed as A1, on the false promise of marriage, had sexual intercourse with the victim, who was aged about 14 years, at the time of occurrence; that, thereafter, on 13.11.2027, A1 had married the victim girl with the complete knowledge of the petitioners, who are arrayed as A2 and A3 respectively; that on 10.12.2024, when the victim had visited the petitioners, they had abused her in filthy language, assaulted her and threatened her of dire consequences, on account of her marriage with their son/A1; and thus committed the aforesaid offences.

3. The learned counsel for the petitioners would submit that a fixed sentence of imprisonment has been imposed on the petitioners; that the petitioners have raised substantial grounds in the appeal; and that the sentence imposed on the petitioners may be suspended pending disposal of the appeal.

4.Heard the learned Government Advocate (Puducherry) and perused the materials available on record.

5. The sentence has been suspended by the trial Court till 07.11.2026. Considering the fact that the petitioners/appellants have raised substantial grounds in the appeal and the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioners.

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6. Accordingly, this criminal miscellaneous petition stands allowed, and the sentence imposed on the petitioners is suspended till the disposal of the above criminal appeal, and the petitioners are ordered to be released on bail on the following conditions:

(a).The petitioners shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Special Court (under POCSO Act), 2012), Karaikal;

(b).The petitioners and 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 pass Book and mobile numbers to ensure their identity;

(c).The petitioners shall appear before the respondent police once in fifteen days and before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if they are not able to appear before the Trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of their absence, as directed by the Trial Court.

05-11-2026

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

TSG

Note: Issue order copy on 05.11.2026

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SUNDER MOHAN, J.

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To

1.The Inspector of Police,
Town Police Station,
Karaikal District.
Crime No.256 of 2024.

2.The Special Court(Under POCSO Act,2012)
Karaikal.

3.The Public Prosecutor,
Madras High Court.

CRL MP No. 21208 of 2026
in CRL A No. 1385 of 2026

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