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Crl.M.P. No. 966 of 2026
in
Crl.A. No. 59 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.02.2026

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.M.P. No. 966 of 2026

in

Crl.A. No. 59 of 2026

Arunpandian,
S/o. Raji,
Endapatti Village,
Badi Post Office,
Palakode Taluk,
Dharmapuri District.

..Petitioner

Vs.

State rep. By
Inspector of Police,
Paupparapatty Police Station,
Dharmapuri District.

..Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 430 of BNSS
to suspend the sentence of imprisonment for life imposed on the petitioner
by judgment dated 16.12.2024 in S.C. No. 160 of 2018 by the learned



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Sessions Judge, Fast Track Mahila Court, Dharmapuri and enlarge the petitioner on bail pending disposal of the criminal appeal.

For Petitioner	::	M/s. S. Dinuprasanth and Gowtham Tilak
For Respondent	::	Mr.S. Balaji, Govt. Advocate (Crl.Side)

O R D E R

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 16.12.2024 in S.C. No. 160 of 2018 by the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/accused in S.C. No.160 of 2018 was convicted by the Trial Court by judgment dated 16.12.2024, for the offence under Section 366A IPC and sentenced to undergo rigorous imprisonment for 5 years and to pay a fine of Rs.5000/- carrying a default sentence of simple imprisonment for a period of six months. Aggrieved by the same, he filed



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Crl.A.No.59 of 2026 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

3. The case of the prosecution is that the petitioner had kidnapped the victim girl with an intent to marry her; kept her in a house taken on rent and attempted to marry her in a temple.

4. The learned counsel for the petitioner would submit that the petitioner was acquitted of the charge under Section 9 of Prohibition of Child Marriage Act, 2006 and the reasons assigned by the learned Trial Judge for acquitting the petitioner of the offence under Section 9 of Prohibition of Child Marriage Act, 2006 would hold good for acquitting the petitioner of the offence under Section 366A IPC also. Therefore, the learned counsel for the petitioner would submit that the learned Trial Judge ought not to have convicted the petitioner. He would further submit that there are several inconsistencies in the prosecution version; that the petitioner is in custody from 16.12.2024 and since the appeal is not likely to be taken up in the near future, prayed that the petitioner may be granted the



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relief of suspension of sentence.

5. Heard the learned Government Advocate (Crl.Side) for the respondent.

6. Considering the fact that the petitioner has raised substantial grounds in the appeal, which require consideration; that fixed sentence of imprisonment has been imposed; that the petitioner is under incarceration for more than a year and 2 months and that since 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 petitioner.

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

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/-,
(Rupees Ten Thousand only) with two sureties, each for a like



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sum to the satisfaction of the learned Sessions Judge, Fast
Track Mahila Court, Dharmapuri;

(ii) The petitioner 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; and

(iii) The petitioner shall appear 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 he is not able to appear before the Trial Court
on any day, he 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 his absence, as
directed by the Trial Court.

03.02.2026

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To

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

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SUNDER MOHAN,J.

nv

2. Inspector of Police,
Paupparapatty Police Station,
Dharmapuri District.
3. The Superintendent,
Central Prison, Salem.
4. The Public Prosecutor,
High Court, Madras.

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