



Crl.MP(MD) No.879 of 2026 in
Crl.A(MD) No.60 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.879 of 2026

in

Crl.A(MD) No.60 of 2026

Chandru @ Chandran

... Petitioner

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Natham Police Station,
Dindigul District.
Crime No.434 of 2024

... Respondent

Prayer :- This Criminal Miscellaneous Petition is filed under Section 430(3) of BNSS, 2023 to suspend the sentence imposed by the learned learned Judge, Special Court for exclusive trial of cases under POCSO Act, Dindigul in Spl.SC No.137 of 2024, dated 07.11.2025 and enlarge him on bail pending appeal.

For Petitioner : Mr.G.Karuppasamypandiyan

For Respondent : Mr.S.Prabhu

Government Advocate (Crl.side)



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ORDER

The petitioner is the sole accused in Spl.SC No.137 of 2024 on the file of the Special Court for exclusive trial of cases under POCSO Act, Dindigul. He was tried for the offence under Sections 3(a) r/w 4 of POCSO Act. The trial Court has found the petitioner guilty, convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1.	Section 3(a) r/w 4	20 years Rigorous imprisonment	Rs.5,000/-	Six months simple imprisonment

As against the conviction and sentence imposed by the trial Court in Spl.SC No.137 of 2024, dated 07.11.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.60 of 2026 and the same was admitted by this Court on 19.01.2026. Along with the appeal, the petitioner has moved this petition, seeking suspension of sentence.



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2.The case of the prosecution is that the victim girl was studying IX Standard at the time of occurrence. The petitioner is a relative of the victim girl. She used to play free-fire game in the petitioner's mobile, thereby, they have developed love affair. Taking advantage of the same, the petitioner took the victim girl to a secluded place and committed penetrative sexual assault.

3.The learned counsel appearing for the petitioner submits that though the trial Court has considered the chief examination of the victim girl, her cross examination has not been taken into consideration by the trial Court. There are several contradictions in the prosecution evidence as well as in the documents, however, the trial Court has failed to appreciate the same in a proper and perspective manner. He further submits that the petitioner is languishing in jail for the last five months.

4.The learned Government Advocate (Crl.side) appearing for the respondent submits that the case in Crime No.434 of 2024 has been



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registered as girl missing, on the complaint of the parents of the victim girl. Thereafter, it was found that the petitioner, who is a relative of the victim girl, by promising to marry her, took her to a secluded place and committed penetrative sexual assault.

5.The petitioner has raised certain arguable points, which can be considered only during the final hearing of the criminal appeal. However, the appeal could not be taken up immediately, for want of time. The petitioner is languishing in jail from the date of conviction. Considering the period of incarceration and that the appeal could not be taken up immediately, this Court is inclined to suspend the sentence imposed on him.

6. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on the following conditions:-



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- i. The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the learned Judge, Special Court for exclusive trial of cases under POCSO Act, Dindigul
- ii. The persons, who are offering surety to the petitioner must file an affidavit of undertaking before the respondent police, ensuring that the petitioner would not disturb the victim girl and he will be available during the final hearing of the appeal. The petitioner shall also file an affidavit to that effect.
- iii. The petitioner shall report before the respondent police, daily at 10.30 a.m, until further orders.
- iv. In the event, if there is any change in address of the petitioner, the same shall be duly informed to the respondent police without fail.



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v. If the petitioner violates any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

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Index : Yes/No

Internet : Yes/No

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To

1.The Special Court for exclusive trial of cases under POCSO Act,
Dindigul.

2.The Inspector of Police,
Natham Police Station,
Dindigul District.

3.The Superintendent,
Central Prison,
Madurai.

Copy to

The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI, J.,

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