



**CrIMP(MD)No.6972 of 2026**

**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

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**DATED : 09.04.2026**

**CORAM:**

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

**CrIMP(MD)No.6972 of 2026  
in  
CrIA(MD)No.402 of 2026**

**Sakthi Karuppasamy**

**...Petitioner**

**Vs**

**1.The State Rep by its  
The Inspector of Police,  
All Women Police Station,  
Rajapalayam,  
Virudhunagar District.  
[Crime No.13 of 2023]**

**2.XXXXXX**

**... Respondent**

**PRAYER:** Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence imposed on the petitioner / appellant / sole accused namely, Sakthi Karuppasamy, S/o.Murugesan, passed by the Special Court for Trial of POCSO Act Cases, Virudhunagar District and enlarge the petitioner on bail, pending disposal of the criminal appeal.

**For Petitioner : Mr.M.Jagadeesh Pandian**

**For Respondent : Mr.AS.Abul Kalaam Azad,  
Government Advocate**



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## **ORDER**

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The petitioner, sole accused in SplSC.No.108 of 2023 on the file of the Special Court for Trial of POCSO Act Cases, Virudhunagar District was tried, found guilty and convicted by the trial Court by judgment dated 31.07.2025 and sentenced to undergo 20 years of rigorous imprisonment for the offence under Section 6 of the Protection of Children From Sexual Offences Act, with a fine of Rs.10,000/-, in default to undergo one year rigorous imprisonment and sentenced to undergo 20 years rigorous imprisonment with fine of Rs.10,000/-, in default, to undergo rigorous imprisonment for one year. As against the conviction and sentence imposed by the trial Court in SplSC.No.108 of 2023, dated 31.07.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD)No. 402 of 2026 and the same was admitted by this Court on 01.04.2026. Along with the appeal, the petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2.The case of the prosecution is that the petitioner and the victim had loved each other and the petitioner has taken the victim to a mango grove and had physical relationship with her. The victim got pregnant.



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3.The learned counsel appearing for the petitioner submits that the petitioner and the victim loved each other and on the compulsion of the victim, the petitioner has taken her. The petitioner was willing to marry the victim. However, the victim got married another person.

4.The learned Government Advocate submits that it is a case of love affair and the victim got pregnant, the DNA test also matched with the petitioner. He also confirms that the victim had married another person.

5.When this petition is taken up for hearing, the victim has appeared before this court and submitted that she has married another person. Further if the petitioner is released on bail, he may disturb her.

6.The learned counsel for the petitioner assured that the petitioner would never disturb the victim and her family in any manner.

7.This court has considered the rival submissions made.



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8.The victim girl has admitted that it is a love affair between the petitioner and her and she only compelled the petitioner to take her along with him. Considering that it is a lover affair, the undertaking given by the learned counsel for the petitioner and period of incarceration, this court is inclined to allow this petition.

9.Accordingly this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended pending disposal of the criminal appeal on the following conditions:

(i)The petitioner is ordered to be enlarged on bail on executing a bond for Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum, to the satisfaction of the Special Court for Trial of POCSO Act Cases, Virudhunagar District and the sureties must be respectable persons in the society.

(ii)The petitioner and the sureties shall file an affidavit before the respondent police that the petitioner will not misuse this liberty, will not indulge in any further offence, he will be available for the appeal proceedings, he will not visit the occurrence village and will not disturb the victim and her family in anyway pending the appeal.



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(iii)The petitioner shall stay at Tiruppur and report before the Inspector of Police, Tiruppur Central Police Station, daily at 10.30 am.

(iv)If the petitioner changes his residence, the address shall be informed to the respondent police immediately.

(v)If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

09.04.2026

DSK

To

- 1.The Inspector of Police,  
All Women Police Station,  
Rajapalayam,  
Virudhunagar District.
- 2.The Special Court for  
Exclusive trial of POCSO Act Cases,  
Virudhunagar district,  
Srivilliputhur.
- 3.The Superintendent,  
Central Prison, Madurai.



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**Copy to**

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- 1.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.
- 2.The Inspector of Police,  
Tiruppur Central Police Station,  
Tiruppur.



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**B.PUGALENDHI.J.,**

DSK

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