



CrIMP(MD)No.8299 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**CrIMP(MD)No.8299 of 2026
in
Crl A(MD)No.455 of 2026**

Pandi

...Petitioner

Vs

**The State of Tamil Nadu
rep by the Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
[Crime No.84 of 2019]**

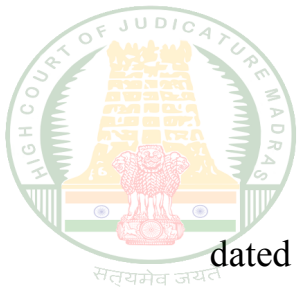
... Respondent

PRAYER: Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, to suspend the execution of the sentence by granting bail in SplSC.No.502 of 2024 dated 12.03.2026 on the file of the Principal Sessions Judge, Tenkasi District, till the disposal of the criminal appeal.

**For Petitioner : Mr.K.Prabhu
For Respondent : Mr.A.Robinson,
Government Advocate**

ORDER

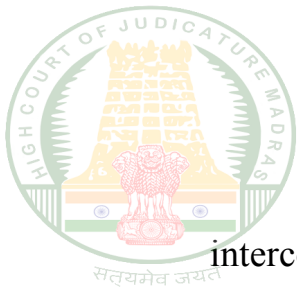
The petitioner is the sole accused in SplSC.No.502 of 2024 on the file of the Principal Sessions Judge, Tenkasi District. By judgment



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dated 12.03.2026, the petitioner was found guilty, convicted and sentenced to undergo 10 years rigorous imprisonment with a fine of Rs.10,000/-, in default to undergo 6 months rigorous imprisonment for the offence under Section 6 of the POCSO Act and sentenced to undergo 1 years rigorous imprisonment with a fine of Rs.1000/- in default to undergo 3 months rigorous imprisonment for the offence under Section 363 IPC. As against the conviction and sentence imposed by the trial Court, the petitioner has filed an appeal in CrlA(MD)No.455 of 2026 along with this petition to suspend the sentence imposed on him by the trial court. The appeal has been admitted by this Court on 20.04.2026.

2.The learned counsel appearing for the petitioner submits that it is a case of love affair and the petitioner was aged about 19 years and the girl was 17 years old at the time of occurrence. The occurrence took place on 15.03.2019, whereas the complaint was lodged after a delay of 3 days on 18.03.2019. The girl on her own volition married the petitioner and therefore Section 363 is not attracted and the question of coercion and forceful marriage does not arise. He further submits that as per the Doctor's evidence there is no external injury and there was no recent



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intercourse. He also submits that the petitioner is in jail from 12.03.2026.

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3.The learned Government Advocate has raised objections that the trial court has considered all the points raised by the petitioner and convicted the petitioner.

4.This court has considered the rival submissions made.

5.This is a case of Romeo-Juliet clause. The survivor girl has admitted that it is a love affair between the petitioner and her. The petitioner has raised certain arguable points which can be considered only during the final hearing of the appeal. However appeal could not be taken up immediately for final hearing. Considering the period of incarceration, the allegations against this petitioner and that the appeal could not be taken up immediately for hearing, this court is inclined to suspend the sentence pending the appeal.

6.Accordingly this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended pending



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disposal of the criminal appeal on the following conditions:

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(i) The petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties each for a like sum to the satisfaction of the learned Principal Sessions Judge, Tenkasi.

(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, will not visit the occurrence place and the survivor girl, pending the appeal.

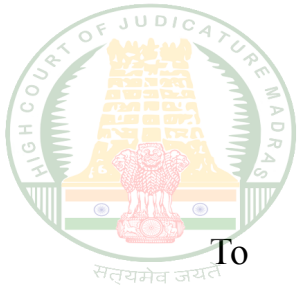
(iii) The petitioner shall stay at Tiruppur and report before the Inspector of Police, Tiruppur North Police Station daily at 10.30am.

(iv) If the petitioner changes his residence, it 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.

04.06.2026

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To

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- 1.The Principal Sessions Judge,
Tenkasi District.
- 2.The Inspector of Police,
Vasudevanallur Police Station,
Tenkasi District.
- 3.The Superintendent,
Central Prison,
Palayamkottai

Copy to

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



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B.PUGALENDHI.J.,

DSK

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