



CrL.M.P.(MD) No.7678 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.01.2026

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THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MR.JUSTICE KRISHNAN RAMASAMY

CRL.MP(MD) No. 7678 of 2025
in
CrL.A(MD)No.670 of 2025

Kalimuthu

..... Petitioner

Vs.

State rep. by
The Inspector of Police
Koombur Police Station
Dindigul District

.....Respondent

Prayer : Petition filed under Section 430 of BNSS to suspend the sentence imposed by the trial Court and enlarge the appellant/accused on bail in Spl.S.C.No.363 of 2023 on the file of the Special Court for POCSO Act cases, Dindigul, Dindigul District dated 23.05.2025.

For Petitioner : Mr.A.Raja

For Respondent : Mr.R.Meenakshi Sundaram

Additional Public Prosecutor



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ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

Seeking to suspend the sentence imposed on the petitioner by the Special Court for POCSO Act cases, Dindigul, Dindigul District dated 23.05.2025 in Spl.S.C.No.363 of 2023 the present Criminal Miscellaneous Petition has been filed.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
366 of IPC	Three years rigorous imprisonment	Rs.10,000/- i/d to undergo six months simple imprisonment
6 of POCSO Act	Life Imprisonment	Rs.1,00,000/- i/d to undergo one year simple imprisonment
9 of Child Marriage Act	Two years rigorous imprisonment	Rs.50,000/- i/d to undergo six months simple imprisonment

3. Heard the learned counsel on either side and perused the materials available on record.



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4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2025 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

5.. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the Special Court for POCSO Act cases, Dindigul, Dindigul District

ii. 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 passbook to ensure their identity.



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iii. The petitioner shall appear before the respondent police daily at 10.30 a.m., until further orders

iv. Further the petitioner shall not interfere with the marital life of the victim.

v. If any complaint lodged by the victim as against the petitioner the sentence suspended shall stand automatically cancelled without any further orders from this Court.

[G.K.I., J.] & [K.R., J.]
02.01.2026

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Copy to

1. The Special Court for POCSO Act cases, Dindigul,
Dindigul District

2. The Superintendent
Central Prison, Madurai

3. The Inspector of Police
Koombur Police Station
Dindigul District

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



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AND
KRISHNAN RAMASAMY, J.

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