



Crl.MP(MD) No.13258 of 2025 in
Crl.A(MD) No.1024 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :09.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.13258 of 2025

in

Crl.A(MD) No.1024 of 2025

Arunkumar

... Petitioner

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
All Women Police Station,
Kodaikanal,
Dindigul District.
Crime No.9 of 2024

... Respondent

Prayer :- This Criminal Miscellaneous Petition is filed under Section 430(3) of BNSS, 2023 to suspend the sentence and conviction made in the judgement, dated 08.09.2025 in Spl.S.C.No.120 of 2024, on the file of the Sessions Court, Fast Track Mahila Court, Dindigul.

For Petitioner : Mr.R.Venkatesan
For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



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ORDER

The petitioner is the sole accused in Crime No.9 of 2024, on the file of the All Women Police Station, Kodaikanal, Dindigul District. The above case has been registered, on the complaint lodged by the Extension Officer, Kodaikanal Panchayat as against this petitioner, for the offence under Sections 5(1) 5(j) (ii) r/w Section 6 of Prohibition of child from Sexual Offences Act, 2012 and Section 9 of Prohibition of Child from Sexual Offences Act, 2012 and Section 9 of Prohibition of Child Marriage Act, 2006 that on 30.03.2024, the petitioner has married the victim girl, who is a minor at the time of occurrence and also had physical relationship with her, thereby, she got pregnant. A final report has been filed before the Sessions Court, Fast Track Mahila Court, Dindigul in Spl.S.C.No.120 of 2024 and the trial Court, after full-fledged trial, has convicted the petitioner for the offence under Section 6 of Protection of Children from Sexual Offences Act, 2012 and sentenced him to undergo 20 years rigorous imprisonment with a fine of Rs.1000/-, in default, six months simple



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imprisonment. As against the conviction and sentence, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.1024 of 2025 and the same is yet to be admitted. Along with the appeal, the petitioner has moved this application to suspend the sentence imposed on him by the trial Court.

2.The learned counsel appearing for the petitioner submits that it is only a love affair between the petitioner and the victim girl. Without realizing the consequences, the petitioner has married the victim girl, when she was a minor. Now, they have been blessed with a female baby and they are living together in a peaceful manner. The learned counsel further submits that the petitioner has also moved an application in Crl.OP(MD) No.14104 of 2025 before this Court, to quash the proceedings in Spl.SC.No.120 of 2024. According to the learned counsel, when the quash application was taken up for hearing, the trial Court has rendered the Judgment, convicting the petitioner, and therefore, this Court has disposed of that application, enabling the petitioner to seek appropriate remedy in the appeal to be filed.



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Thereafter, the petitioner has filed the Criminal Appeal before this Court. It is also reported that the petitioner and the victim girl are going to register their marriage before the Sub Registrar concerned shortly.

3.The petitioner along with the victim girl and their child are present before this Court.

4.The learned Government Advocate (Crl.side) appearing for the respondent is not having any serious objections to grant suspension of sentence to the petitioner as he has married the victim girl and they are now living together along with their child.

5.Considering the peculiar circumstances of the case, the fact that the petitioner has married the victim girl and they are now living together with their child peacefully and the fact that the victim girl has now attained majority, this Court is inclined to grant suspension of sentence to this petitioner.



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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 his own bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand).

09.03.2026

Index : Yes/No

Internet : Yes/No

vrn

To

1.The Sessions Court, Fast Track Mahila Court, Dindigul.

2.The Inspector of Police,
All Women Police Station,
Kodaikanal,
Dindigul District.



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B.PUGALENDHI, J.,

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