



CrIMP(MD)No.14675 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 06.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

CrI.MP(MD)No.14675 of 2025 in
CrIA(MD)No.1110 of 2025

Bharathi

...Petitioner

Vs

1.The State represented by
the Inspector of Police,
All Women Police Station,
Manapparai – 621 306,
Tiruchirappalli District.
(in Crime No.7 of 2020)

2.Anjalidevi

3.Ponniyinselvi

... Respondents

PRAYER: Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentences imposed on the petitioner by judgment dated 25.09.2025 passed in Special SC.No.49 of 2021 by the Sessions Judge, Mahila Court, Tiruchirappalli and enlarge the petitioner on bail pending disposal of the criminal appeal.



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For Petitioner : Mr.T.M.Madasamy
For R1 : Mr.AS.Abul Kalaam Azad
Additional Public Prosecutor

ORDER

The petitioner is an accused in SC.No.49 of 2021 on the file of the Mahila Court, Tiruchirappalli and he has been tried for the offence under Sections 450 and 376(3) IPC and Sections 5(1) and 6(1) and 5(j)(i) r/w 6(1) of the POCSO Act. By judgment dated 25.09.2025, the petitioner has been convicted and sentenced as follows:

Sl.No	Section	Punishment	Fine (in Rs)	Default sentence
1	450 IPC	2 years rigorous imprisonment	2,000/-	6 months simple imprisonment
2	5(1) r/w6(1), 5(j)(i) r/w6(1) of POCSO Act and 376(3) IPC	20 years rigorous imprisonment	20,000	6 months simple imprisonment



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Challenging the same, the petitioner has filed an appeal before this Court in CrI.A(MD)No.1110 of 2025 and the same has been admitted by this Court on 16.10.2025. Along with the appeal the petitioner has filed this petition to suspend the sentence imposed on him pending the appeal.

2.The case of the prosecution is that the petitioner on the promise of marrying the victim, had physical relationship with her for more than six months and made her pregnant. He has taken her to Trichy for marrying her.

3.The learned counsel for the petitioner submits that it is a love affair between the petitioner and the victim. Without knowing the consequences, he had physical relationship with her. The case has been foisted that the victim was aged about 15 years at the time of occurrence, he was prosecuted and convicted. He further submits that the victim is none other than the petitioner's sister's daughter,



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she has now attained majority and he is also willing to marry her, if the victim and her parents agree for the same.

4.Considering the above submission made by this petitioner, this Court directed the learned Government Advocate (Crl.side) to ascertain from the victim girl and her parents on the possibility of marriage of the victim girl with this petitioner.

5.The learned Government Advocate (Crl.side) on verification submits that the victim girl is not willing to marry the petitioner and in fact, she apprehends that if the petitioner is released on bail, he would disturb the victim girl and her family.

6.This Court considered the rival submissions made and also perused the materials placed on record.

7. No doubt the victim girl was aged about 15 years at the time of occurrence and this petitioner was aged about 20 years.



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The victim girl is a close relative of the petitioner. Without knowing the consequences, they had developed love affair and they have also eloped. The victim girl was rescued on the complaint of her parents. Now, the victim girl attained majority. Though the petitioner is willing to marry the victim girl, she has refused to marry him. Considering the facts and circumstances of the case, this Court is inclined to suspend the sentence imposed on the petitioner.

7. 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:-

- i. The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties each for a like sum to the satisfaction of the Sessions Judge, Mahila Court, Tiruchirappalli.



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- ii. The petitioner shall file an affidavit of undertaking before the respondent police that he will not visit the occurrence village pending disposal of the appeal.
- iii. The petitioner shall stay at Tiruppur and report before the Inspector of Police, Tiruppur North Police Station, Tiruppur, daily at 10.30 a.m, until further orders.
- iv. 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.

06.04.2026

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To

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1. The Inspector of Police,
All Women Police Station,
Manapparai – 621 306,
Tiruchirappalli District.
2. The Sessions Judge,
Mahila Court,
Tiruchirappalli.
3. The Inspector of Police,
Tiruppur North Police Station,
Tiruppur.
4. The Superintendent,
Central Prison,
Tiruchirappalli.

Copy to

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



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B.PUGALENDHI.J.,

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Order made in
CrIMP(MD)No.14675 of 2025

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