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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04-11-2026

CORAM

THE HON'BLE MR.JUSTICE D.LINGESWARAN

CRL MP(MD) No. 22342 of 2026

CNR:{HCMD011491142026}

Case QR

in

CRL A(MD) No. 1245 of 2026

Muniyasamy
S/o. Murugaraj,
Thimmapatti,
Mathavanoor Post,
Devipattinam,
Ramanathapuram District.

..Petitioner(s)

Vs

State Of Tamilnadu Rep By
The Inspector Of Police,
Mudukulathur Police Station,
Mudukulathur,
Ramanathapuram District.
(Crime No. 57 of 2023

..Respondent(s)

PRAYER: To Suspend the execution of the Sentence passed in Spl.S.C.No. 42 of 2023 against the Petitioner/Appellant by the Fast Track Mahila Court, Ramanathapuram, Ramanathapuram District, dated 19.09.2026 pending disposal of the appeal and thus render justice.

For Petitioner(s) :M/s A.D.Ganeshamoorthi

For Respondent(s) :Mr.A.Robinson,
Additional Public Prosecutor

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ORDER

This petition has been filed to suspend the sentence imposed on the petitioner by the Fast Track Mahila Court, Ramanathapuram, Ramanathapuram District, in Spl.S.C.No. 42 of 2023 dated 19.09.2026 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. As per the case of the prosecution, the petitioner kidnapped the victim girl and committed the penetrative sexual assault upon her repeatedly by giving a false promise that he would marry her. The child was subsequently rescued. The petitioner was prosecuted, convicted and sentenced as follows:-

Section of Law	Sentence of imprisonment	Fine amount
U/s.363 of IPC	To undergo rigorous imprisonment for a period of three years.	Rs.1,000/- i/d to undergo rigorous Imprisonment for a period of three months.

3. The case of the prosecution is that the victim is aged about 15 years and the petitioner is aged about 27 years at the time of occurrence. They loved each other. on 11.03.2023, at about 11.00 a.m, the petitioner committed the penetrative sexual assault upon the victim

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girl by giving a false promise that he would marry her. On 26.03.2023, at about 12.30 p.m, the petitioner kidnapped the victim to Tiruchendure and thereafter, to Chennai, and had sexual intercourse with her. Thereby, the petitioner has committed the offence punishable under Section 363 of IPC.

4. Heard both sides.

5. The petitioner was convicted and sentenced to only three years imprisonment, and the sentence imposed upon the petitioner had already been suspended by the Trial Court for the period from 19.09.2026 to 18.10.2026.

6. Having regard to the fact that there are arguable points involved in the appeal and further, the appeal is not likely to be taken up for final hearing in the near future, I am of the considered opinion that the petitioner is entitled for the relief of suspension of sentence.

7. Accordingly, this Criminal Miscellaneous Petition is allowed and 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

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Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the Fast Track Mahila Court, Ramanathapuram, Ramanathapuram 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 Pass Book to ensure their identity;

iii. The petitioner shall appear before the Fast Track Mahila Court, Ramanathapuram, Ramanathapuram District, once in a month i.e. on the 1st working day of every month at 10.30 a.m., till the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 B.N.S.S. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

iv. On violation of any of the above conditions by the petitioner, the respondent Police shall move an application for cancellation of the bail.

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To

1.The Fast Track Mahila Court, Ramanathapuram,
Ramanathapuram District.

2. The Inspector Of Police,
Mudukulathur Police Station,
Mudukulathur,
Ramanathapuram District.

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

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D.LINGESWARAN, J.

DSS

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