



*Crl.MP(MD) No.16690 of 2025 in
Crl.A(MD) No.1192 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.16690 of 2025
in Crl.A.(MD)No.1192 of 2025

Murugan @ Batsha Murugan

... Petitioner

Vs.

State of Tamil Nadu,
Rep by the Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
Crime No.15 of 2021

... Respondent

Prayer: Petition filed under Section 430(1) of BNSS to suspend the sentence of imprisonment imposed by the learned Sessions Judge, POCSO Special Court & Virudhunagar District Incharge, Srivilliputhur in Special Sessions Case No.18 of 2021 by the Judgment dated 04.03.2023 and enlarge the petitioner on bail, pending disposal of the above appeal.

For Petitioner : Mr.T.J.Ebenezer Charles

For Respondent : Mr.A.S.Abul Kalam Azad
Government Advocate (Crl. Side)



*Crl.MP(MD) No.16690 of 2025 in
Crl.A(MD) No.1192 of 2025*

WEB COPY

ORDER

The petitioner, sole accused in Spl.S.C.No.18 of 2021, on the file of the learned Sessions Judge, Special Court for POCSO Act cases, Virudhunagar District (Incharge), Srivilliputhur was found guilty by the trial Court and was convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1	506(i) IPC	2 years RI	Rs.2,000/-	2 months SI
2	Section 12 of POCSO Act	3 years RI	Rs.3,000/-	3 months SI

As against the conviction and sentence imposed by the trial Court in Spl.S.C.No.18 of 2021, dated 04.03.2023, the petitioner has filed a Criminal Appeal in Crl.A(MD)No.1192 of 2025 and the same was admitted by this Court on 12.11.2025. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2. The case of the prosecution is that the petitioner has teased the victim girl in the public place and intimidated her.



*Crl.MP(MD) No.16690 of 2025 in
Crl.A(MD) No.1192 of 2025*

WEB COPY

3. The learned counsel appearing for the petitioner submits that the victim girl was having intimacy with some other person and the petitioner informed the same to her parents and hence, this false case has been registered against the petitioner. He further submits that the petitioner is in jail from 22.08.2025 onwards.

4. The learned Government Advocate appearing for the respondent submits that this petitioner was not present before the trial Court on the date of Judgment and he absconded. Subsequently, he was arrested on 22.08.2025 i.e., two years after the date of Judgment.

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

6. The petitioner has raised certain arguable points, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. Considering the nature of offence committed by the petitioner, his period of incarceration and for the reasons that the appeal could not be taken up immediately, this



*Crl.MP(MD) No.16690 of 2025 in
Crl.A(MD) No.1192 of 2025*

WEB COPY

Court is inclined to suspend the sentence imposed on the petitioner. However, since the petitioner did not appear before the trial Court on the date of Judgment and absconded, this Court is inclined to order furnishing of Government sureties as mentioned below.

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 only) with two Government sureties each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for POCSO Act cases, Virudhunagar District (Incharge), Srivilliputhur.
- ii. The petitioner shall stay at Chennai and report before the Inspector of Police, Ambattur Police Station, daily at 10.30 a.m., till the disposal of the appeal.
- iii. The petitioner and the Government sureties shall file an affidavit of undertaking before the respondent Police that they will ensure



*Crl.MP(MD) No.16690 of 2025 in
Crl.A(MD) No.1192 of 2025*

availability of this petitioner during the appeal and that the petitioner will not involve in any offence in future.

iv. In the event, if the petitioner has violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

27.03.2026

mbi

To

- 1.The learned Sessions Judge,
Special Court for POCSO Act cases,
Virudhunagar District (Incharge),
Srivilliputhur.
- 2.The Inspector of Police,
Alangulam Police Station,
Virudhunagar District.
- 3.The Inspector of Police,
Ambattur Police Station,
Chennai.
- 4.The Superintendent,
Central Prison,
Madurai.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

5/6



WEB COPY



*Crl.MP(MD) No.16690 of 2025 in
Crl.A(MD) No.1192 of 2025*

B.PUGALENDHI, J.,

mbi

Crl.MP(MD) No.16690 of 2025
in
Crl.A(MD) No.1192 of 2025

27.03.2026