



Crl.M.P.(MD) No.688 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Wednesday, the Twenty Fourth day of January Two Thousand and Twenty Four

PRESENT

The Hon`ble Mr.Justice VIVEK KUMAR SINGH

Crl.M.P.(MD) No.688 of 2024

in

Crl.R.C.(MD) No.51 of 2024

MUTHUMANI @ VINAYAGAM ... REVISION PETITIONER/ACCUSED
Vs

1 THE SECOND CLASS EXECUTIVE MAGISTRATE AND TAHSILDAR,
NILAKOTTAI TALUK OFFICE,
NILAKOTTAI,
DINDIGUL DISTRICT.

2 THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.

3 THE SUPERINTENDENT OF PRISON
DISTRICT JAIL,
DINDIGUL.

... RESPONDENTS

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence imposed by the R1 in Na.Ka.No.8233/2023/A5 dt.05.10.2023 and enlarge the Revision petitioner/accused on bail pending disposal of this main Criminal Revision Petition.

Prayer in CRL RC(MD). 51/ 2024 :

To call for the records pertaining to the impugned order in Na.Ka.No.8233/2023/A5 dt.05.10.2023 passed by the R1 and set aside the same as illegal.



Crl.M.P.(MD) No.688 of 2024

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of MR.A. MOHAMED RIYAZ, Advocate for the petitioner and of MR.A.THIRUVADIKUMAR, Additional Public Prosecutor on behalf of the Respondents, while admitting the Criminal Revision Case, the court made the following order:-

The petitioner has filed this Criminal Miscellaneous Petition praying to suspend the sentence passed against him by the learned Second Class Executive Magistrate and Tahsildar, Nilakottai, Dindigul in Na.Ka.No.8233/2023/A5 dated 05.10.2023.

2. It is submitted by the learned counsel for the petitioner that a case has been registered against the petitioner in Crime No.237 of 2023 on the file of the second respondent/Inspector of Police, Nilakottai Police Station, for the offences punishable under Sections 294(b), 323, 324, 506(i) of IPC and the same is pending. Learned counsel for the petitioner further submitted that the first respondent has not set forth the substance or source of information received by the second respondent for initiating action against the petitioner under Section 110 of 'the Code of Criminal Procedure' [hereinafter 'Cr.P.C' for brevity] and hence, learned counsel prays for suspension of sentence.

3.The petitioner has filed an affidavit in support of the petition. This Court has



Crl.M.P(MD) No.688 of 2024

perused the same.

WEB COPY

4. Considering the facts and circumstances of the case, this Court is of the prima facie view that the sentence is to be suspended pending this Revision Case.

5. Accordingly, this Criminal Miscellaneous Petition is allowed. The sentence imposed by the learned Second Class Executive Magistrate and Tahsildar, Nilakottai, Dindigul in Na.Ka.No.8233/2023/ A5 dated 05.10.2023 alone is suspended subject to the following conditions:-

i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Second Class Executive Magistrate and Tahsildar, Nilakottai, Dindigul.

ii) The petitioner shall appear and sign before the learned Second Class Executive Magistrate and Tahsildar, Nilakottai, Dindigul, on the first working day of every English calendar month at 10.30 a.m., until further orders.



Crl.M.P.(MD) No.688 of 2024

WEB COPY

iii) In case, if the petitioner is unable to appear before the Court on the first working day of a month, he shall appear on the next working day.

iv) The petitioner shall furnish his residential address and mobile number to the Trial Court ie., learned Second Class Executive Magistrate and Tahsildar, Nilakottai, Dindigul.

6. Subject to the above conditions, this Petition is allowed.

sd/-
24/01/2024

/ TRUE COPY /

31/01/2024
Sub-Assistant Registrar (CS- I/ II / III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

pkn

TO

1 THE SECOND CLASS EXECUTIVE MAGISTRATE AND TAHSILDAR,
NILAKOTTAI TALUK OFFICE,
NILAKOTTAI,
DINDIGUL DISTRICT.

2 THE INSPECTOR OF POLICE
NILAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.



CrI.M.P.(MD) No.688 of 2024

3 THE SUPERINTENDENT OF PRISON
DISTRICT JAIL, DINDIGUL.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER
IN
CrI.M.P.(MD) No.688 of 2024
in
CrI.R.C.(MD) No.51 of 2024
Date :24/01/2024

RK/GS (31/01/2024) 5P / 5C

Madurai Bench of Madras High Court is issuing certified copies in this format from
17/07/2023