



Crl.M.P(MD)No.2922 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.12.2025**

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

Crl.M.P(MD)No.2922 of 2025

in Crl.A(MD)No.288 of 2025

1.Nagaraj

2.Jeya Suriya

... Petitioners/Appellants

Vs.

State of Tamil Nadu,

Represented by the Inspector of Police,

Theni Police Station, Theni District.

Crime No.3922 of 2020.

... Respondent/Respondent

PRAYER: Petition filed under Section 430 of BNSS, under Section 389 of Cr.P.C. to suspend the sentence passed in S.C.No.74 of 2021 on the file of the Sessions Court, Mahalir Neethi Mandram, (Fast Track Mahila Court), Theni, dated 07.02.2025 and enlarge the petitioners on bail pending disposal of the above Criminal Appeal.

For Petitioners : Mr.C.Vakeeswaran

For Respondent : Mr.T.Senthil Kumar
Additional Public Prosecutor



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ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

Seeking suspension of the sentence imposed on the petitioners by the learned Sessions Court, Mahalir Neethi Mandram, (Fast Track Mahila Court), Theni, vide Judgment dated 07.02.2025 in S.C.No.74 of 2021, they have filed this Criminal Miscellaneous Petition.

2. The first petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
294(b) of IPC	To pay a sum of Rs.2,000/-	In default to undergo one month Simple Imprisonment
324 of IPC	One year Rigorous Imprisonment	Rs.2,000/- i/d to undergo three months Simple Imprisonment
302 of IPC	Life Imprisonment	Rs.2,000/- i/d to undergo one year Simple Imprisonment



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3. The second petitioner stands convicted and sentenced as

under:

Section of Law	Sentence of imprisonment	Fine amount
342 of IPC	One year Rigorous Imprisonment	Rs.2,000/- i/d to undergo three months Simple Imprisonment
302 r/w 34 of IPC	Life Imprisonment	Rs.2,000/- i/d to undergo one year Simple Imprisonment

4. Heard the learned counsel on either side and perused the materials available on record.

5. The first petitioner has failed to make out a prima facie case for grant of suspension of sentence. Hence, we are of the considered opinion that it is not a fit case for granting suspension of sentence to the first petitioner.



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6. Accordingly this Criminal Miscellaneous Petition stands dismissed in respect of the first petitioner alone.

7. Considering the period of incarceration undergone by the second petitioner and that there are several arguable points and the fact that the appeal is of the year 2025 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, we are of the opinion that it is a fit case for grant of suspension of sentence to the second petitioner.

8. Accordingly, the Criminal Miscellaneous Petition is allowed in respect of the second petitioner alone and the substantive sentence of imprisonment alone imposed on the second petitioner herein is suspended, subject to the following conditions:

- i. The second petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the



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satisfaction of the learned Sessions Court, Mahalir Neethi Mandram, (Fast Track Mahila Court), Theni.

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 passbook to ensure their identity.

iii. The second petitioner shall appear and sign before the trial Court on the first working day of every English calender month at 10.30 a.m., till the disposal of the Criminal Appeal.

**[G.K.I.J.,] & [R.P.J.,]
08.12.2025**

Index :Yes/No
Internet :Yes
ps



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To

- 1.The Sessions Court,
Mahalir Neethi Mandram,
(Fast Track Mahila Court),
Theni.
- 2.The Inspector of Police,
Theni Police Station,
Theni District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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