



Crl.M.P(MD)No.5616 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**
AND
THE HONOURABLE **MS.JUSTICE R.POORNIMA**

Crl.M.P(MD)No.5616 of 2025
in
Crl.A(MD)No.502 of 2025

1.Navashkumar
2.Jeeva
3.Yogaraj
4.Ranjith

..... Petitioners

Vs.

State of Tamil Nadu,
rep. by The Inspector of Police
Swamymalai Police Station
Thanjavur District.
Crime No.973 of 2020.

.....Respondent

Prayer : Petition filed under Section 430 (1) of BNSS to suspend the

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Suspend the Sentence imposed against the petitioners in S.C.No.47 of 2021 dated 26.11.2024 passed by the Learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam and enlarge the petitioners on bail pending disposal of the above criminal appeal.

For Petitioners : Mr.C.M.Arumugam
For Respondent : Mr.R.Meenakshi Sundaram,
Additional Public Prosecutor

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

Seeking to suspend the sentence imposed on the petitioner by the Additional District and Sessions Judge, (Fast Track Court), Kumbakonam, *vide* Judgment dated 26.11.2024 in S.C.No.47 of 2021, he has filed this Criminal Miscellaneous Petition.

2. The 1st petitioner/A3 stands convicted and sentenced as under:



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Section of Law	Sentence of imprisonment	Fine amount
302 IPC	Life Imprisonment	Rs.1,000/- i/d to undergo one year rigorous Imprisonment
120(B) IPC	Two years rigorous Imprisonment	Rs.500/- i/d to undergo six months rigorous Imprisonment
148 IPC	Two years rigorous Imprisonment	Rs.500/- i/d to undergo six months rigorous Imprisonment

3. The 2nd and 3rd petitioners/A5 & A6 stands convicted and sentenced as under:

Accused	Section of Law	Sentence of imprisonment	Fine amount
A5 & A6	120(B) IPC	Two years rigorous Imprisonment	Rs.500/- i/d to undergo six months rigorous Imprisonment
A5 & A6	148 IPC	Two years rigorous Imprisonment	Rs.500/- i/d to undergo six months rigorous Imprisonment
A5 & A6	302 IPC	Life Imprisonment	Rs.1,000/- i/d to undergo one year rigorous Imprisonment
A5 & A6	341 IPC	One month simple imprisonment	Rs.500/- i/d to undergo one week simple Imprisonment



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4. The 4th petitioner/A7 stands convicted and sentenced as

under:

Accused	Section of Law	Sentence of imprisonment	Fine amount
A7	120(B) IPC	Two years rigorous Imprisonment	Rs.500/- i/d to undergo six months rigorous Imprisonment
A7	148 IPC	Two years rigorous Imprisonment	Rs.500/- i/d to undergo six months rigorous Imprisonment
A7	302 IPC	Life Imprisonment	Rs.1,000/- i/d to undergo one year rigorous Imprisonment
A7	341 IPC	One month simple imprisonment	Rs.500/- i/d to undergo one week simple Imprisonment
A7	302 r/w. 149 IPC	Life Imprisonment	Rs.1,000/- i/d to undergo one year rigorous Imprisonment

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

6. The first petitioner has failed to make out a prima facie



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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.

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

8. Considering the period of incarceration undergone by the petitioners 2 to 4/A5, A6 & A7 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 petitioners 2 to 4.

8. Accordingly, the Criminal Miscellaneous Petition is allowed in respect of the petitioners 2 to 4 alone and the substantive sentence of imprisonment alone imposed on the petitioners 2 to 4



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herein is suspended, subject to the following conditions:

i. The petitioners 2 to 4 are directed to be enlarged on bail on executing a bond for Rs.10,000/- each (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam.

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 petitioners 2 to 4 shall appear and sign before the trial Court on the first working day of every English calendar month at 10.30 a.m., till the disposal of the Criminal Appeal.

[G.K.I.J.] & [R.P.J.]
09.12.2025

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To

1.The Additional District and Sessions Judge,
(Fast Track Court), Kumbakonam

2.The Inspector of Police,
Swamymalai Police Station
Thanjavur District.

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



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