



CRL MP(MD) NO. 9834 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 28.07.2025

CORAM
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) NO. 9834 of 2025

IN

CRL RC(MD) NO. 930 of 2025

1.Arulselvan

2.Selvakumar

... Petitioners / Revision Petitioners
Vs.

State of Tamil Nadu,
Rep. by,
The Sub Inspector of Police,
Peravurani Police Station,
Thanjavur District.
(In Cr.No.161/2019)

... Respondent / Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to Suspend the Sentence of the petitioner imposed in judgment dated 31.10.2023 in C.C.No.324 of 2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Peravurani, confirmed in judgment dated 08.01.2025 made in Crl.A.No.69 of 2024 on the file of the learned III Additional District and Sessions Judge, Thanjavur @ Pattukkottai and enlarge the petitioners on bail.



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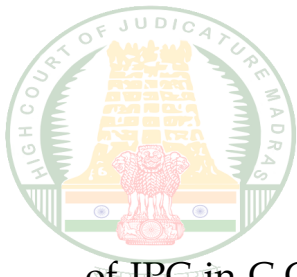
WEB COPY For Petitioners : Mr.A.Arun Prasad

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate

ORDER

This Criminal Miscellaneous Petition has been filed to Suspend the Sentence of the petitioner imposed in judgment dated 31.10.2023 in C.C.No.324 of 2022 on the file of the learned District Munsif cum Judicial Magistrate Court, Peravurani, confirmed by the judgment dated 08.01.2025 made in Crl.A.No.69 of 2024 on the file of the learned III Additional District and Sessions Judge, Thanjavur @ Pattukkottai and enlarge the petitioners on bail.

2. The learned counsel appearing for the petitioners submitted that the petitioners have been convicted by the trial Court on 31.10.2023 for the offence under Section 324 of IPC, and the trial Court sentenced the 1st petitioner to undergo simple imprisonment for a period of three months and to pay a fine of Rs.2,000/-, in default to undergo simple imprisonment for a period of one week, and the 2nd petitioner was convicted and sentenced to undergo simple imprisonment for a period of three months and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for a period of one month for the offence under Section 324 (2counts)



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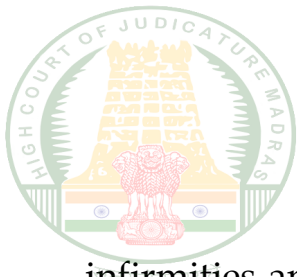
of IPC in C.C.No.324 of 2022 on the file of the learned District Munsif cum Judicial
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Magistrate Court, Peravurani. Aggrieved over the same, the petitioners filed a
criminal appeal in Crl.A.No.69 of 2024 on the file of the learned III Additional
District and Sessions Judge, Thanjavur @ Pattukkottai.

3. The learned III Additional District and Sessions Judge, Thanjavur @
Pattukkottai, confirmed the conviction, and confirmed the sentence and dismissed
the Criminal Appeal No.69 of 2024, dated 08.01.2025. Challenging the same, the
present Criminal Revision Case has been filed before this Court along with this
Criminal Miscellaneous Petition seeking suspension of sentence.

4. The learned counsel for the petitioners submitted that there are several
infirmities in the prosecution case, and also there are contradictions in material
particulars between the evidence of the prosecution witnesses.

5. This Court has carefully considered the rival contentions put forward by
either side and also perused the materials available on record.

6. The learned counsel for the petitioners pointed out that there are certain



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infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the fact that the petitioners are the family men and they have good chance of succeeding in the revision petition, this Court is of the considered view that the petitioners herein are entitled to the relief of grant of suspension of sentence.

7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :

(i) The petitioners 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 District Munsif cum Judicial Magistrate Court, Peravurani;

(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; and

(iii) The petitioners shall appear before the learned District Munsif cum Judicial Magistrate Court, Peravurani, on all working



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days at 10.30 a.m., until further orders.

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28/07/2025

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/07/2025

Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Sml
To

- 1.The District Munsif cum Judicial Magistrate Court,
Peravurani.
2. Do through the Chief Judicial Magistrate,
Thanjavur@ kumbakonam.
3. The Learned III Additional District and Sessions
Judge, Thanjavur@ Pattukkottai.
4. The Sub Inspector of Police,
peravurani Police Station,
Thanjavur district.
5. Additional Public Prosecutor,
The Madurai Bench of Madras High Court, Madurai.



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ORDER

IN

CRL MP(MD) No.9834 of 2025

Date :28/07/2025

PS/SAR.29.07.2025 6P/6C

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