



Crl.M.P.(MD) No.6685 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 03.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

Crl.M.P.(MD) No.6685 of 2025
in
Crl.A.(MD) No.603 of 2025

Arunpandian

... Petitioner/
Appellant/ Accused No.1

vs.

The State of Tamil Nadu,
Rep by its
The Inspector of Police,
M.Pudhupatti Police Station,
Virudhunagar District.
(Crime No.46 of 2022)

... Respondent/
Respondent/ Complainant

PRAYER: Petition filed under Section 389(1) of the Criminal Procedure Code and under Section 430 BNSS, to grant interim suspension of sentence imposed on the petitioner by the learned Principal District and Sessions Court, Virudhunagar District at Srivilliputhur by its judgment in S.C.No.129 of 2022 dated 24.04.2024 and enlarge him on interim bail pending disposal of the criminal appeal.

For Petitioner : Mr.M.Jegadeesh Pandian
For Respondents : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor



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ORDER

[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

Seeking to suspend the sentence imposed on the petitioner by the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur, vide Judgment dated 24.04.2024 in S.C.No.129 of 2022, he has filed this criminal miscellaneous petition.

2.The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
Section 148 of I.P.C.	To undergo 3 years rigorous imprisonment	--
Section 341 of I.P.C	To undergo one month simple imprisonment	--
Section 342 of I.P.C	To undergo one year rigorous imprisonment	--
Sections 302, 120(B) r/w 302 of I.P.C	To undergo life imprisonment	Rs.5,000/-

3.The case of the prosecution is that due to previous motive, while the deceased with the complainant went in a two wheeler, all the accused persons conspired together attacked the deceased with sickles and caused murdered him,.



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4.Learned counsel for the petitioner would submit that the petitioner seeks interim suspension on the ground that his elder brother viz., Dr.N.Sidharthan @ Abishek, is getting married on 06.06.2025 at SVS Mahal, Uchipuli, Ramanathapuram. Further, there are several arguable points in favour of the petitioner and the likelihood of the appeal being taken up for final hearing in the near future is also not possible and therefore, he prayed for suspension of sentence.

5.Learned Additional Public Prosecutor appearing for the respondent - Police, on instructions, would submit that six(6) days emergency leave with escort may be granted to the convict to attend his elder brother's marriage which is scheduled to be held on 06.06.2025.

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

7.Having gone through the records and taking into consideration the facts and circumstances of the case, we are of the opinion that it is a fit case for grant of interim suspension of sentence to the petitioner only for six(6)days ie., from 04.06.2025 to 09.06.2025.



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8. Accordingly, the criminal miscellaneous petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

- i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Sivakasi, Virudhunagar District.
- ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court / Committal Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.
- iii. The petitioner shall appear before the respondent police, every day at 06.30 p.m. Except 06.06.2025.



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iv. The petitioner shall report back to the Prison Authority on
09.06.2025 at 05.30 p.m.

sd/-
03/06/2025

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/06/2025

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

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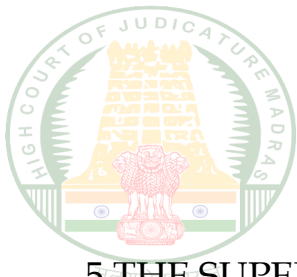
1.THE LEARNED PRINCIPAL DISTRICT AND SESSIONS COURT,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2.THE JUDICIAL MAGISTRATE NO.II, SIVAKASI, VIRUDHUNAGAR.

3.THE CHIEF JUDICIAL MAGISTRATE,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

4. THE INSPECTOR OF POLICE,
M.PUDUPATTI, M PUTHUPATTI
POLICE STATION,VIRUDHUNAGAR DISTRICT.

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5.THE SUPERINDENT, CENTRAL PRISON, MADURAI.

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

+1 CC to M/s.M.JEGADEESH PANDIAN, Advocate (SR-5867[I] dated 03/06/2025)

ORDER
IN
CRL MP(MD) No.6685 of 2025
IN
CRL A(MD) No.603 of 2025
Date :03/06/2025

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