



CRL MP(MD) NO. 6545 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22-05-2025

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

CRL MP(MD) NO. 6545 2025

IN

CRL RC(MD) NO. 591 OF 2025

Subramanian,
S/o.Muthu Muniyandi,
Manavarayayenthan,
Thiruchuli Taluk,
Virudhunagar District.

... Petitioner

Vs.

The State of Tamil Nadu,
Rep. By Inspector of Police,
Thiruchuli Police Station,
Virudhunagar District,
Crime No.107 of 2015.

... Respondent

For Petitioner : Mr.D.Rameshkumar

For Respondent : Mr.P.Kottai Chamy

Government Advocate (Criminal Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner in CrI.A.No.145 of 2023 dated 21.02.2025 on the file of the learned Additional District and Sessions Judge, Aruppukkottai, confirming the conviction imposed in the judgment, dated 19.09.2023 passed in C.C.No.36 of 2021



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on the file of the learned District Munsif cum Judicial Magistrate, Thiruchuli, Virudhunagar District and enlarge the petitioner on bail pending disposal of the Criminal Revision Case.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 19.09.2023 for the offence under Sections 279, 337 and 304-A of IPC and the trial Court sentenced him to pay a fine of Rs.1,000/- in default to undergo simple imprisonment for a period of one month under Section 279 of IPC and to undergo simple imprisonment for a period of three months and to pay a fine of Rs.500/- in default to undergo further simple imprisonment for one month under Section 337 and to undergo simple imprisonment for a period of one year and to pay a fine of Rs.5,000/- in default to undergo further simple imprisonment for three months under Section 304-A of IPC in C.C.No.36 of 2021 on the file of the learned District Munsif cum Judicial Magistrate, Thiruchuli, Virudhunagar District.

3. The learned District Judge, Karur, confirmed the conviction and sentence, and dismissed the Criminal Appeal No.145 of 2023, dated 21.02.2025. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.



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4. The learned counsel for the petitioner 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.

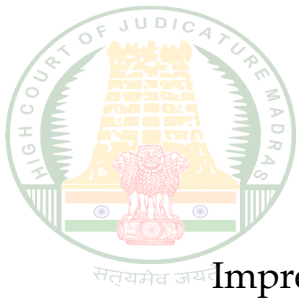
5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain 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 bonafide expressed by the petitioner, this Court is of the considered view that the petitioner herein is 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 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 Additional District and Sessions Judge, Aruppukkottai, Virudhunagar District;

(ii) The sureties shall affix their photographs and Left Thumb



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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 petitioner shall appear before the learned Additional District and Sessions Judge, Aruppukkottai, Virudhunagar District, once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., until further orders.

sd/-
22/05/2025

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/05/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

Mrn

To

1. THE ADDITIONAL DISTRICT AND SESSIONS JUDGE,
ARUPPUKKOTTAI, VIRUDHUNAGAR DISTRICT.
2. THE SUPERINTENDENT, CENTRAL PRISON, MADURAI.
3. THE INSPECTOR OF POLICE,
THIRUCHULI POLICE STATION, VIRUDHUNAGAR DISTRICT.
4. THE ADDITIONAL PUBLIC PROSECUTOR
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI



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ORDER
IN
CRL MP(MD) No.6545 of 2025
IN
CRL RC(MD) No.591 of 2025
Date :22/05/2025

PP/23.05.2025 5P/5C

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