



CRL MP(MD) NO. 6658 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 22-05-2025

**CORAM
THE HONOURABLE MR JUSTICE P.VADAMALAI**

CRL MP(MD) NO. 6658 2025

IN

CRL RC(MD) NO. 595 OF 2025

Sivasubramanian @ Kottimani,
S/o. Murugan,
19, Chithirai Mudukku Theru,
Town, Tirunelveli District.

... Petitioner

Vs.

The State of Tamil Nadu Represented by,
The Inspector of Police,
Town Police Station,
Tirunelveli District,
Crime No.452 of 2021.

... Respondent

For Petitioner : Mr.G.Karuppasamypandiyan
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 Crl.A.No.87 of 2024 dated 05.04.2025 on the file of the



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learned IV Additional Sessions Judge, Tirunelveli, confirming the conviction imposed in the judgment, dated 10.10.2024 passed in C.C.No.104 of 2022 on the file of the learned Additional Mahila Court, Tirunelveli 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 10.10.2024 for the offence under Sections 354D of IPC and the trial Court sentenced him to undergo simple imprisonment for a period of one year and to pay a fine of Rs.2,000/- in default to undergo further simple imprisonment for one month in C.C.No.104 of 2022 on the file of the learned Additional Mahila Court, Tirunelveli District.

3. The learned IV Additional Sessions Judge, Tirunelveli District, confirmed the conviction and sentence, and dismissed the Criminal Appeal No.87 of 2024, dated 05.04.2025. 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 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.



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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 Judge, Additional Mahila Court, Tirunelveli District;

(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 petitioner shall appear before the learned Judge,



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Additional Mahila Court, Tirunelveli 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 JUDGE, ADDITIONAL MAHILA COURT, TIRUNELVELI DISTRICT.

2.THE SUPERINTENDENT, CENTRAL PRISON,
PALAYAMKOTTAI, TIRNELVELI DISTRICT.

3.THE INSPECTOR OF POLICE,TOWN POLICE STATION,
TIRUNELVELI DISTRICT.

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



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+1 CC to M/s.G.KARUPPASAMY PANDIYAN, Advocate (SR-5726[I] dated
22/05/2025)

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IN CRL RC(MD) No.595 of 2025
Date :22/05/2025

PP/23.05.2025 5P/6C

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