



CrL.M.P.(MD) No. 7396 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.12.2025

CORAM

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

CRL.MP(MD) No. 7396 of 2025

in

CrL.A(MD)No.659 of 2025

Kowsigan

..... Petitioner

Vs.

**State rep. by
The Inspector of Police
Rayapanpatti Police Station,
Theni District
(Crime No.76 of 2023)**

..... Respondent

Prayer : Petition filed under Section 430(2) of Cr.P.C to suspend the sentence imposed by the judgment dated 28.04.2025 made in S.C.No.122 of 2023 on the file of the Additional District Judge(Fast Track Court) Theni and enlarge the petitioner on bail pending disposal of the above appeal

**For Petitioner : Mr.R.Gandhi, Senior Counsel
for Mr.K.Althaf Sheriff**



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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 Judge(Fast Track Court) Theni , *vide* Judgment dated 28.04.2025 in S.C.No.122 of 2023 , he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
364 (A) r/w.120 (B)of IPC	Life Imprisonment	Rs.1,000/-
342 of IPC	One year simple imprisonment	-
304 of IPC	Ten years rigorous imprisonment	-



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

4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2024 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

5.. 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.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Theni



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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 petitioner shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calender month, till the disposal of the Criminal Appeal.

[G.K.I., J.] & [R.P., J.]
04.12.2025

NCC : Yes / No
Index : Yes / No
aav

Copy to

1. The Additional District Judge(Fast Track Court) Theni
2. The Superintendent
Central Prison, Madurai
3. The Judicial Magistrate,Theni
- 4.The Inspector of Police
Rayapanpatti Police Station,
Theni District
- 5.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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AND
R.POORNIMA, J.

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