



CRL MP(MD) NO. 8493 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED: 04.07.2025

CORAM
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) NO. 8493 of 2025
IN
CRL RC(MD) NO. 795 of 2025

A.Murugan

... Petitioner

Vs.

The State of Tamil Nadu,
The Sub Inspector of Police,
Manamadurai Police Station,
Sivagangai District.

... 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 pursuant to the judgment of conviction render by the learned Fast Track Mahila Court, Sivagangai, in C.A.No.31 of 2017 dated 21.01.2025, confirming the judgment in S.C.No.57 of 2007 dated 03.03.2017, on the file of the learned Assistant Sessions Judge, Sivagangai.

For Petitioner : Mr.J.Jeyakumaran

For Respondent : Mr.S.S.Manoj,
Government Advocate (Crl. side)



CRL MP(MD) NO. 8493 of 2025

ORDER

WEB COPY

This Criminal Miscellaneous Petition has been filed to Suspend the Sentence pursuant to the judgment of conviction render by the learned Fast Track Mahila Court, Sivagangai, in C.A.No.31 of 2017 dated 21.01.2025, confirming the judgment in S.C.No.57 of 2007 dated 03.03.2017, on the file of the learned Assistant Sessions Judge, Sivagangai.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 03.03.2017, and the trial Court sentenced him to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.10,000/- (Rupees Ten Thousand only), in default to undergo simple imprisonment for a period of three months for the offence under Section 324 of IPC, further the accused was convicted to undergo three years rigorous imprisonment and to pay a fine of Rs.10,000/- (Rupees Ten Thousand only), in default to undergo simple imprisonment for a period of six months for the offence under Section 307 of IPC in S.C.No.57 of 2007 on the file of the learned Assistant Sessions Judge, Sivagangai.

3. The learned Fast Track Mahila Court, Sivagangai, confirmed the conviction,



CRL MP(MD) NO. 8493 of 2025

and confirmed the sentence and dismissed the Criminal Appeal No.31 of 2017, dated 21.01.2025. 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 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 fact that the petitioner is the family man and he has good chance of succeeding in the revision petition, this Court is of the considered view that the petitioner herein is entitled to



CRL MP(MD) NO. 8493 of 2025

the relief of grant of suspension of sentence.

WEB COPY

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 Assistant Sessions Judge, Sivagangai;

(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 Assistant Sessions Judge, Sivagangai, on all working days at 10.30 a.m., until further orders.

sd/-

04/07/2025

/ TRUE COPY /

07/07/2025

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



CRL MP(MD) NO. 8493 of 2025

WEB COPY
Sml
To

1. The Judge, Fast Track Mahila Court, Sivagangai.
2. The Assistant Sessions Judge, Sivagangai.
3. The Superintendent,
Central Prison, Madurai.
4. The Sub-Inspector of Police,
Manamadurai Police Station,
Sivagangai District.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL MP(MD) No.8493 of 2025
IN
CRL RC(MD) No.795 of 2025
Date :04/07/2025

HPS/07.07.2025 /5P/6C

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