



Crl.M.P.(MD) No.9421 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 10.12.2025

CORAM

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

**CRL.MP(MD) No.9421 of 2025
in
Crl.A(MD)No.549 of 2025**

1.Pitchiah
2.Balasubramanian : Petitioners/A4 and A10

Vs.

1.The State of Tamil Nadu
rep. through its
Revenue Divisional Officer,
Thoothukudi,
Thoothukudi District. : Respondent/Respondent

Prayer: Petition filed under Section 430(1) of BNSS 2023 (U/s.389(1) of the Criminal Procedure Code) to suspend the sentence of imprisonment imposed on the appellants/A4 and A10 by the learned I Additional District and Sessions Court, Thoothukudi, in SC No.223 of 2006 by the judgment, dated 05/04/2025 and enlarge the petitioners on bail, pending disposal of the above said criminal appeal.

For Petitioners : Mr.V.Gopinath
Senior Counsel
for Mr.N.Ananda Kumar



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For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor
Assisted by
Mr.D.Srinivasaraghavan

ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

This criminal miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioners/A4 and A10 by the I Additional District and Sessions Judge, Thoothukudi, in S.C.No.223 of 2006, dated 05/04/2025 and to enlarge the petitioners on bail pending disposal of the criminal appeal.

2.The petitioners/A4 and A10 stand convicted and sentenced as under:-

Section of Law	Sentence of imprisonment	Fine amount
302 IPC	Life Imprisonment	Rs.10,000/-, in default to undergo 3 months SI

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



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4.The petitioners have made out a *prima facie* case to grant suspension of sentence, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioners.

5.Accordingly, the Criminal Miscellaneous Petition is **allowed** and the substantive sentence of imprisonment alone imposed on the petitioners/A4 and A10 herein is suspended, subject to the following conditions:-

i. The petitioners/A4 and A10 are 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 I Additional District and Sessions Judge, Thoothukudi.

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.



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iii. The petitioners/A4 and A10 shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calendar month, till the disposal of the Criminal Appeal.

[G.K.I., J.] & [R.P., J.]
10.12.2025

NCC : Yes / No
Index : Yes / No
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G.K.ILANTHIRAIYAN, J.
AND
R.POORNIMA, J.

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To,

1. The I Additional District and Sessions Judge,
Thoothukudi.
2. The Superintendent
Central Prison, Palayamkottai.
3. The Revenue Divisional Officer,
Thoothukudi.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

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