



CrL.M.P.(MD) No.8187 of 2024

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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.8187 of 2024
in
CrL.A(MD)No.669 of 2024**

M.Jothilingam

..... Petitioner

Vs.

State rep. by
The Inspector of Police
M.Pudhupatti Police Station,
Virudhunagar District.

..... Respondent

Prayer : Petition filed under Section 389(1) of Cr.P.C., to suspend the sentence in S.C.No.129 of 2022, dated 24.04.2024, on the file of the Principal District and Sessions Judge, Srivilliputhur, Virudhunagar District and enlarge the appellant on bail pending disposal of the above Criminal Appeal.



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For Petitioner : Mr.Anandha Padmanabhan
Senior Counsel
for Mr.M.Solaisamy

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 Principal District and Sessions Judge, Srivilliputhur, Virudhunagar District, *vide* Judgment dated 24.04.2024 in S.C.No.129 of 2022, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
302 r/w 109 IPC	Life Imprisonment	Rs.5,000/-

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



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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 No.II, Sivakasi.

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

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

NCC : Yes / No
Index : Yes / No
am

Copy to

- 1.The Principal District and Sessions Judge,
Srivilliputhur, Virudhunagar District.
- 2.The Judicial Magistrate No.II,
Sivakasi.
- 3.The Inspector of Police
M.Pudhupatti Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN, J.
AND
R.POORNIMA, J.

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