



CRL MP(MD) No.8987 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11.07.2025

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.8987 of 2025

in

CRL RC(MD) No.847 of 2025

Sankaranarayanan

Petitioner/Petitioner

Vs

State of Tamilnadu rep. by its
The Inspector of Police,
Aralvoimozhi Police Station,
Aralvoimozhi,
Kanniyakumari District.
(Crime No.154/2013)

... Respondent/Respondent

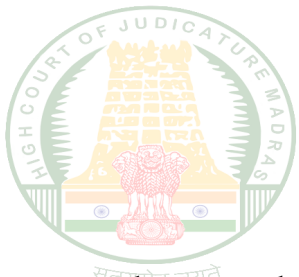
For Petitioner: Mr.N.Pragalathan, Advocate

For Respondent: Mr.M.Sakthikumar
Government Advocate (Criminal Side)

Prayer in CRL MP(MD).8987 of 2025 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to suspend the sentence imposed on the petitioner by the Judgment dated 05.03.2025 passed in C.A.No.52 of 2022 on the file of the Additional District and Sessions Court (Fast Track) Nagercoil, Kanniyakumari District confirming the

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Judgment dated 06.09.2022 passed in C.C.No.67 of 2014 on the file of the District Munsif cum Judicial Magistrate Court, Boothapandy, Kanniyakumari District and enlarge the petitioner on bail pending disposal of the above criminal revision petition.

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the Judgment dated 05.03.2025 passed in C.A.No.52 of 2022 on the file of the Additional District and Sessions Court (Fast Track) Nagercoil, Kanniyakumari District confirming the Judgment dated 06.09.2022 passed in C.C.No.67 of 2014 on the file of the District Munsif cum Judicial Magistrate Court, Boothapandy, Kanniyakumari District and enlarge the petitioner on bail pending disposal of the above criminal revision petition.

2. The case of the prosecution is that on 31.03.2013 at about 3.30 p.m, when the defacto complainant and LW2 were standing near Thazhakudi Cooperative Bank, the accused persons came there and abused the defacto complainant with bad words and defamed him and beaten him, which caused grievous injury. Hence, FIR came to be registered in Crime No.154 of 2013.

3. The respondent police, after completing the investigation, has filed the final

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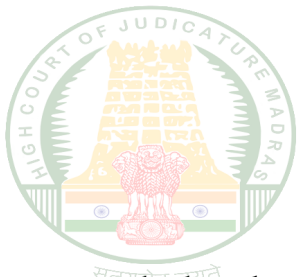
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report against the accused under Sections 294(b), 325, 506(i) of IPC and the case was taken on file in C.C.No.67 of 2014 and the same was pending on the file of the District Munsif cum Judicial Magistrate, Boothapandy, Kanyakumari District.

4. During trial, the prosecution has examined 8 witnesses as P.W.1 to P.W.8 and exhibited 6 documents as Ex.P.1 to Ex.p.6. The accused has adduced neither oral nor documentary evidence.

5. The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment dated 06.09.2022 convicting the petitioner/1st accused for the offences under Section 323 of IPC and sentenced him to undergo 6 months simple imprisonment and to pay a fine of Rs.1000/-, in default, to undergo 15 days simple imprisonment. Challenging the above said conviction and sentence, the petitioner has preferred appeal in C.A.No.52 of 2022 on the file of the Additional District and Sessions Court (Fast Track), Nagercoil, Kaniyakumari District. The learned Additional District and Sessions Court (Fast Track), Nagercoil, Kaniyakumari District by confirming the conviction and sentence, dismissed the appeal. Aggrieved by the same, the petitioner has preferred the present Criminal Revision Case along

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with the above miscellaneous petition.

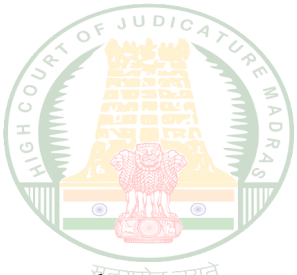
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6. The learned counsel appearing for the petitioner would submit that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses.

7. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are enough materials available on record against the petitioners and hence, he strongly opposed to grant suspension of sentence.

8. This Court has carefully considered the rival contentions putforth by either side and also perused the materials available on record.

9. The learned counsel appearing for the petitioner pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains that there are arguable points involved in these criminal revision and further the criminal revision is not likely to be taken up for final hearing in the near future and as such, this Court is of the considered view that



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the petitioner herein is entitled to the relief of grant of suspension of sentence.
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10. In the result, this Criminal Miscellaneous Petition is ordered. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(i) the petitioner is directed to be enlarged on bail on him executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate Court, Boothapandy, Kanniyakumari 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 trial Court at 10.30 a.m. on all working days until further orders.



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11. Accordingly, this Miscellaneous Petition is ordered.

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Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

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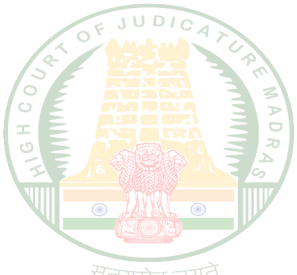
1.THE ADDITIONAL DISTRICT AND SESSIONS COURT (FAST
TRACK)

NAGERCOIL, KANNIYAKUMARI DISTRICT.

2.THE DISTRICT MUNSIF CUM JUDICIAL MAGISTRATE
COURT,

BOOTHAPANDY, KANNIYAKUMARI DISTRICT.

3.DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,
KANNIYAKUMARI DISTRICT.



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4.THE THE INSPECTOR OF POLICE,
ARALVOIMOZHI POLICE STATION,
ARALVOIMOZHI,
KANNIYAKUMARI DISTRICT.

5.THE SUPERINTENT, CENTRAL PRISON, PALAYAMKOTTAI.

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

+1 CC to M/s.N.PRAGALATHAN, Advocate (SR-7433[I] dated 11/07/2025)

ORDER
IN

CRL MP(MD) No.8987 of 2025

in

CRL RC(MD) No.847 of 2025

Date :11/07/2025

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