



CrL.M.P.(MD) No.8920 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.8920 of 2025
in
CrL.A(MD)No.746 of 2025**

1.Liviston

2.Maria Jerman

: Petitioners/A2 and A3

Vs.

The State rep. by
The Inspector of Police,
North Police Station,
Thoothukudi,
Thoothukudi District.
(Crime No.761 of 2020)

: Respondent/Respondent

Prayer: Petition filed under Section 430 of BNSS 2023 to suspend the sentence imposed by the judgment, dated 03/06/2025 made in SC No.99 of 2022 on the file of the II Additional District and Sessions Judge, Thoothukudi and enlarge the petitioners on bail pending disposal of the above appeal.

For Petitioners

: Mr.R.Gandhi
Senior Counsel
for M/s.Ajmal Associates

For Respondent

: Mr.R.M.Anbunithi
Additional Public Prosecutor



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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/A2 and A3 by the II Additional District and Sessions Judge, Thoothukudi, in S.C.No.99 of 2022, dated 03/06/2025 and to enlarge the petitioners on bail pending disposal of the criminal appeal.

2.The petitioners/A2 and A3 stand convicted and sentenced as under:-

Section of Law	Sentence of imprisonment	Fine amount
302 IPC	Life Imprisonment	Rs.5,000/-, in default to undergo 6 months SI
148 IPC	3 Years RI	Rs.1,000/-, in default to undergo 1 month 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/A2 and A3 herein is suspended, subject to the following conditions:-

i. The petitioners/A2 and A3 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 Judicial Magistrate Court No.III, Thoothukudi.

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the learned Judicial Magistrate Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.



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iii. The petitioners/A2 and A3 shall appear and sign before the said 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 II Additional District and Sessions Judge,
Thoothukudi.
2. The Superintendent,
Central Prison, Palayamkottai.
3. The Inspector of Police,
North Police Station,
Thoothukudi,
Thoothukudi District.
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.

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