



CrL.M.P.(MD) No.9593 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.12.2025

CORAM

**THE HONOURABLE Mr. JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE Mr. JUSTICE KRISHNAN RAMASAMY**

**CRL.MP(MD) No.9593 of 2025
in
Crl.A(MD)No.875 of 2023**

Dhilip Kumar

..... Petitioner

Vs.

**The Inspector of Police
Aralvaimozhi Police Station,
Kanyakumari District.
In Crime No.155 of 2015**

..... Respondent

Prayer : Petition filed under Section 430 (1) of BNSS to suspend the sentence imposed on the petitioner by the Additional District Sessions Court (Fast Track Court), Nagercoil, Kanyakumari District in S.C.No.278 of 2017, by Judgment dated 14.07.2023 and enlarge the petitioner on bail, pending disposal of the above appeal.

**For Petitioner : Mr.R.Gandhi, senior counsel
for M/s.Ajmal Associates**



CrL.M.P.(MD) No.9593 of 2025

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 Additional District and Sessions Court (Fast Track Court), Nagercoil, Kanyakumari District, *vide* Judgment dated 14.07.2023 in S.C.No.278 of 2017, the petitioner has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 of IPC	Life Imprisonment	Rs.5,000/- i/d to undergo one year Rigorous Imprisonment
148 of IPC	One year Rigorous Imprisonment	-
341 IPC	One month Rigorous Imprisonment	-
307 r/w 149 IPC	Five years Rigorous Imprisonment	Rs.3,000/- i/d to undergo one year Rigorous Imprisonment



CrL.M.P.(MD) No.9593 of 2025

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

4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of the year 2023 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 imposed on the petitioner herein is alone 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 District Munsif and Judicial Magistrate, Boothapandi, Kanyakumari District.



CrL.M.P.(MD) No.9593 of 2025

WEB COPY

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.

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

[G.K.I., J.] & [K.R., J.]
19.12.2025

NCC : Yes / No

Index : Yes / No

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To

1.The Additional District and Sessions Court
(Fast Track Court),
Nagercoil, Kanyakumari District.

2.The District Munsif and Judicial Magistrate,
Boothapandi, Kanyakumari District.

3.The Inspector of Police
Aralvaimozhi Police Station,
Kanyakumari District.

4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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CrL.M.P.(MD) No.9593 of 2025

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mbi

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