



Crl.M.P.(MD) No.10194 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 16.12.2025

CORAM

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

**CRL.MP(MD) No.10194 of 2025
in
Crl.A(MD)No.826 of 2025**

1.Dinesh, S/o.Chellapandi
Nakeerar Street
Bommayagoundanpatti
Theni.

2. MADHAN, S/o.Veerachamy
Nakeerar Street
Bommayagoundanpatti
Theni.

Petitioners/A2 & A3

Vs.

The State of Tamil Nadu
Rep. by The Inspector of Police
Allinagaram Police Station
Theni District.
Crime No.201/2021.

Respondent

Prayer : Petition filed under Section 430 (1) of BNSS to suspend the



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sentence imposed on the petitioners in SC No.151/2021 dated 24.04.2025 on the file of the Learned Principal Sessions Judge, Theni and enlarge the petitioner on bail pending disposal of the appeal and thus render justice.

For Petitioners : Mr.G.Karuppasamy Pandian,
for Mr.T.K.Siddharthan
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor

ORDER

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

Seeking to suspend the sentence imposed on the petitioners/A2 & A3 by the Principal Sessions Judge, Theni, *vide* Judgment dated 24.04.2025 in S.C.No.151 of 2021, they have filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Accused	Section of Law	Sentence of imprisonment	Fine amount
A2 & A3	302 r/w. 34 IPC	Life Imprisonment each	Rs.6,000/- i/d to undergo each one month simple imprisonment



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A2 & A3	342 IPC	One year rigorous Imprisonment each	Rs.1,000/- i/d to undergo each one month simple imprisonment
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3. Heard the learned counsel on either side and perused the materials available on record.

4. Considering the period of incarceration suffered by the petitioners/A2 & A3 and that there are several arguable points and further the appeal is of year 2025 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 petitioners.

5. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioners/A2 & A3 herein is suspended, subject to the following conditions:

- i. The petitioners are directed to be enlarged on bail on



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executing a bond for Rs.10,000/- each (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal Sessions Judge, Theni.

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 petitioners/A2 & A3 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.] & [R.P., J.]
16.12.2025

NCC : Yes / No
Index : Yes / No
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1.The Principal Sessions Judge, Theni.

2.The Inspector of Police
Allinagaram Police Station
Theni District.

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



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