



CRL MP(MD) NO. 10822 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.08.2025

CORAM
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) NO. 10822 of 2025
IN
CRL RC(MD) NO. 1072 of 2025

Krishnan

... Petitioner

Vs.

The State represented by,
The Sub-Inspector of Police,
Palavidhuthi Police Station,
Karur District.
(Crime No.223 of 2020)

... Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to Suspend the Sentence imposed on the petitioner by the learned District and Sessions Judge, Karur, in C.A.No.135 of 2023 dated 17.07.2025, modify the judgment in C.C.No.49 of 2021 dated 15.03.2023 by the learned Judicial Magistrate No.I, Kulithalai.

For Petitioner : Mr.R.Mohamed Riyaz

For Respondent : Mr.M.Sakthi Kumar,
Government Advocate



CRL MP(MD) NO. 10822 of 2025

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ORDER

This Criminal Miscellaneous Petition has been filed to Suspend the Sentence imposed on the petitioner by the learned District and Sessions Judge, Karur, in C.A.No.135 of 2023 dated 17.07.2025, modify the judgment in C.C.No.49 of 2021, dated 15.03.2023, by the learned Judicial Magistrate No.I, Kulithalai.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 15.03.2023 for the offence under Section 326 of IPC, and the trial Court sentenced them to undergo rigorous imprisonment for a period of one year in C.C.No.49 of 2021 on the file of the learned Judicial Magistrate No.I, Kulithalai. Challenging the same, the petitioner preferred an appeal in C.A.No.135 of 2023 before the learned District and Sessions Judge, Karur.

3. The learned District and Sessions Judge, Karur, confirmed the conviction, and confirmed the sentence and dismissed the Criminal Appeal No.135 of 2023, dated 17.07.2025. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking



CRL MP(MD) NO. 10822 of 2025

suspension of sentence.

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4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the fact that the petitioner has good chance of succeeding in the revision petition, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the



CRL MP(MD) NO. 10822 of 2025

following directions :

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(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kulithalai;

(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 learned Judicial Magistrate No.I, Kulithalai, on all working days at 10.30 a.m., until further orders.

sd/-
14/08/2025

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/08/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

SML

TO

1 The Judicial Magistrate No.I,
Kulithalai.



CRL MP(MD) NO. 10822 of 2025

2 Do Through

The Chief Judicial Magistrate,
Karur District.

3 The Sub Inspector of Police,
Palaviduthi Police Station,
Karur District.

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

ORDER

IN

CRL MP(MD) No.10822 of 2025

IN

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Date :14/08/2025

NM/19.08.2025/ 5P/5C

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