



Crl.M.P.(MD) No.10878 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 02.12.2025

CORAM

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

**CRL.MP(MD) No. 10878 of 2024
in
Crl.A(MD)No.824 of 2024**

Malaichamy

..... Petitioner

Vs.

State rep. by
The Inspector of Police
Jeyamankalam Police Station
Theni District
(Crime No.219 of 2018)

..... Respondent

Prayer : Petition filed under Section 430(1) of BNSS to suspend the sentence made in S.C. No.105 of 2019 dated 30.04.2024 on the file of the Mahila Court (FTC), Theni and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.



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For Petitioner : Mr.S.Ayyanar Premkumar

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 petitioner by the Mahila Court (FTC), Theni , *vide* Judgment dated 30.04.2024 in S.C. No.105 of 2019 , he has filed this Criminal Miscellaneous Petition.

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

3. The petitioner has failed to make out a prima facie case for grant of suspension of sentence since he has committed a very serious and heinous offence as against his own wife by pouring kerosene and setting fire on her. Further the dying declaration is also clear and the trial Court has also rightly convicted the appellant, hence we are of the opinion that it is not a fit case for grant of suspension of sentence to the petitioner.



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4. Accordingly this Criminal Miscellaneous Petition stands dismissed.

[G.K.I., J.] & [R.P., J.]
02.12.2025

NCC : Yes / No
Index : Yes / No
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Copy to

1. The Mahila Court (FTC), Theni
2. The Inspector of Police
Jeyamankalam Police Station
Theni District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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