



Crl.M.P.(MD) No.11303 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. 11303 of 2024
in
Crl.A(MD)No.866 of 2024**

Sudalaiyandi

..... Petitioners

Vs.

State rep. by
The Inspector of Police
Radhapuram Police Station,
Tirunelveli District
(Crime No.231 of 2021)

..... Respondent

Prayer : Petition filed under Section 430(1) of BNSS to suspend the sentence in S.C.No.191 of 2021 dated 16.02.2023 on the file of the learned Principal Sessions Judge, Tirunelveli pending disposal of the above Criminal Appeal

For Petitioner : Mr.G. Bhagavath Singh

For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor



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ORDER

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

Seeking to suspend the sentence imposed on the petitioners by the Principal Sessions Judge, Tirunelveli, *vide* Judgment dated 16.02.2023 in S.C.No.191 of 2022, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
302 of IPC	Life Imprisonment	Rs.5,000/- i/d to undergo three years rigorous imprisonment

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

4. It is a case of circumstantial evidence. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2024 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.



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5.. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is 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 Principal Sessions Judge, Tirunelveli
- 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 at 10.30 a.m., on the first working day of every English calender month, till the disposal of the Criminal Appeal.

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

NCC : Yes / No
Index : Yes / No
aav



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Copy to

1. The Principal Sessions Judge, Tirunelveli
2. The Inspector of Police
Radhapuram Police Station,
Tirunelveli District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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AND
R.POORNIMA, J.

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