



CRL.M.P.(MD)No.17171 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.11.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.M.P.(MD)No.17171 of 2025 in
CRL.R.C.(MD)No.1443 of 2025

1.Chandralekha,
W/o.Dhandapani, Main Road, Thiruchotturthurai,
Thiruvaiyaru Taluk, Thanjavur District.

2.Muruganandam,
S/o. Dhandapani, Main Road, Thiruchotturthurai,
Thiruvaiyaru Taluk, Thanjavur District.

3.Anbarasan,
S/o.Dhandapani, Main Road, Thiruchotturthurai,
Thiruvaiyaru Taluk, Thanjavur District.

4.Ravi,
S/o.Varadharajan, Keela Street, Vellamperambur
Thiruvaiyaru Taluk, Thanjavur District.

5.Karunanidhi,
S/o.Varadharajan, Keela Street, Vellamperambur
Thiruvaiyaru Taluk, Thanjavur District.

... Petitioners

vs.

The State of Tamil Nadu,
Rep. by The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.
(Crime No. 254 of 2014)

... Respondent



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PRAYER: Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023, to suspend the sentence imposed as against the petitioners and others/petitioners/appellants/accused Nos.1 to 5 passed by the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District in C.C.No.205 of 2015, dated 01.07.2024 confirming the said order by the learned II Additional District and Sessions Judge, Thanjavur in C.A.No. 165 of 2024 by a judgment, dated 07.08.2025 pending disposal of the above Criminal Revision Petition.

For Petitioners :Mr.M.Jegadeesh Pandian
For Respondent :Mr.A.S.Abul Kalam Azad
Government Advocate

ORDER

Heard Mr.M.Jegadeesh Pandian, learned Counsel for the Revision Petitioners and Mr.A.S.Abul Kalam Azad, learned Government Advocate for the respondent.

2.This Criminal Miscellaneous Petition has been preferred, praying to suspend the sentence, dated 01.07.2024 made in C.C.No.205 of 2015 on the file of the Judicial Magistrate Court, Thiruvaiyaru, Thanjavur District, which was confirmed by the learned II Additional District and Sessions Judge, Thanjavur, in C.A.No.165 of 2024, dated 07.08.2025.



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3.In C.C.No.205 of 2015, vide judgement, dated 01.07.2024, the

Trial Court has convicted and sentenced the Revision Petitioners as follows:

Petitioners' Name	Petitioners' Rank	Provisions under which convicted	Sentence
1)Chandralekha 2)Muruganandam 3)Ravi 4)Karunanidhi	1 st Accused 2 nd Accused 4 th Accused 5 th Accused	(1)148 IPC (2)294(b) IPC (3)506(ii) IPC and (4)324 IPC	(1)A fine of Rs.500/- in default to undergo 1 month simple imprisonment; (1)A fine of Rs.500/- in default to undergo 1 month simple imprisonment; (1)A fine of Rs.500/- in default to undergo 1 month simple imprisonment; and (4)Three years rigorous imprisonment and to pay a fine of Rs.500/- in default to undergo one month simple imprisonment
Anbarasan	3 rd Accused	(1)148 IPC (2)294(b) IPC (3)506(ii) IPC and (4)326 IPC	(1)A fine of Rs.500/- in default to undergo 1 month simple imprisonment; (1)A fine of Rs.500/- in default to undergo 1 month simple imprisonment; (1)A fine of Rs.500/- in default to undergo 1 month simple imprisonment; and (4)Three years rigorous imprisonment and to pay a fine of Rs.500/- in default to undergo one month simple imprisonment.



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4.As against the said conviction and sentence, the Revision Petitioners have filed Criminal Appeal No.165 of 2024 on the file of the II Additional District and Sessions Court, Thanjavur, and the lower Appellate Court vide order, dated 07.08.2025, dismissed the said appeal. Challenging the above conviction and sentence, the Revision Petitioners have filed Criminal Revision Petition in CrI.R.C(MD)No.1443 of 2025 along with the instant miscellaneous petition, seeking suspension of sentence and bail.

5.Mr.M.Jegadeesh Pandian, learned Counsel for the Revision Petitioners submits that both the Trial Court and the Lower Appellate Court arrived at its conclusion without appreciating the entire materials placed on record and hence, the conviction recorded by the Trial Court is legally unsustainable, as it was passed by both the Courts below on surmises and conjectures. Thus, he submits that the relief of suspension of sentence and bail may be granted, as failure to do so would cause great hardship to the Revision Petitioners. The Revision Petitioners are ready to comply with all conditions imposed by this Court.



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6.It was further argued that due to pendency of the criminal cases before this High Court, there is a blinking chance that in the near future, this Criminal Revision Case will be finally heard and decided. He further submits that there are arguable points in this Revision and the Revision Petitioners have fair chances of success in this Criminal Revision Case. Thus, he prayed for suspension of sentence and be released on bail, till the disposal of this Criminal Revision Case.

7.Several other submissions in order to demonstrate the falsity of the allegations made against the Revision Petitioners have also been placed forth before the Court. The circumstances which, according to the Counsel, led to the false implication of the accused have also been touched upon at length. It has been assured on behalf of the Revision Petitioners that they are ready to cooperate with the process of law and shall faithfully make themselves available before the Court whenever required and are also ready to accept all the conditions which the Court may deem fit to impose upon them. The Revision Petitioners undertake that, in case, they are released on bail, they will not misuse the liberty of bail and will cooperate in disposal of revision.



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8.Mr.A.S.Abul Kalam Azad, learned Government Advocate for the Respondent has opposed the arguments advanced by the learned Counsel for the Revision Petitioners and submits that the judgments passed by both the Courts are as per law after considering the entire evidence. Thus, it was submitted that the relief sought by the Revision Petitioners at this stage be refused by this Court.

9.Considering the arguments as advanced by the learned Counsel for the Revision Petitioners, this Court is of the view that the trial Court has failed to appreciate the evidence on record and the judgment was passed without considering the entire materials placed before it.

10.Considering the arguments advanced by the learned Counsel for the Revision Petitioners, this Court observed that when the accused have been under incarceration for sometime and when there are points in the revision, which favour the accused, then the Courts should not shy from granting suspension of sentence, as the liberty of the individual would be at stake, if the revision results in acquittal at a later point of time. In this



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regard, the decision of the Hon'ble Supreme Court of India in the case of

Rabi Prakash Vs. The State of Odhisha reported in 2023 Live Law (SC)

533 is of relevance.

11.The Revision Petitioners have raised substantial grounds in the Revision which require detailed appraisal. Further, the Revision is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the Revision Petitioners are entitled to the relief of suspension of sentence and bail.

12. Accordingly, the relief of suspension of sentence and bail is granted to the Revision Petitioners, namely, 1.Chandralekha, W/o.Dhandapani, 2.Muruganandam, S/o. Dhandapani, 3.Anbarasan, S/o.Dhandapani, 4.Ravi, S/o.Varadharajan and 5.Karunanidhi, S/o.Varadharajan, on the following conditions:



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- (i) The Revision Petitioners shall surrender before the Judicial Magistrate, Thiruvaiyaru, Thanjavur District within three weeks from today and on such surrender, the Revision Petitioners are ordered to be released on bail on their executing a personal bond along with two sureties each for a sum of Rs.10,000/- each subject to furnishing undertaking that they will co-operate in the hearing of the present Revision.
- (ii) The Revision Petitioners and the sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity; and
- (iii) The Revision Petitioners shall appear before the learned Judicial Magistrate, Thiruvaiyaru, Thanjavur District, once in every month, ie., on the first working day, commencing from the month of December 2025, at 10.30 a.m., until further orders.

13. On acceptance of their bail bonds and sureties, the learned trial Court shall transmit photostat copies thereof to this Court for being kept on records of this Revision.



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14. With the above directions, this Criminal Miscellaneous Petition
is **ordered**.

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- 1.The Judicial Magistrate, Thiruvaiyaru, Thanjavur District.
- 2.The II Additional District and Sessions Judge, Thanjavur.
3. The Inspector of Police,
Nadukaveri Police Station,
Thanjavur District.



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SHAMIM AHMED, J.

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