

Crl.MP(MD)No.12581 of 2025
in Crl.A.(MD)No.971 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17-09-2025

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THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) No.12581 of 2025

in

CRL A(MD) No.971 of 2025

N.Srinivasan

**Petitioner/
Appellant**

Vs

State of Tamilnadu rep. by
The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.
(Crime No.153 of 2016)

**Respondent/
Respondent/
Complainant**

Prayer in CRL MP(MD).12581 of 2025 : This Criminal Miscellaneous Petition filed under Section 430 B.N.S.S. praying to suspend the sentence imposed in judgment in S.C.No.56 of 2022 passed by the learned Fast Track Mahila Court, Sivagangai dated 21.08.2025 pending disposal of this appeal.

Prayer in CRL A(MD).971 of 2025 : This Criminal Appeal filed under Section 415 B.N.S.S. praying to call for the entire records and set aside the conviction and sentence imposed in judgment in S.C.No.56 of 2022 passed by the learned Fast Track Mahila Court, Sivagangai dated 21.08.2025.



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in Crl.A.(MD)No.971 of 2025

For Petitioner: Mr.K.K.Kannan

For Respondent: Mr.B.Thanga Aravindh,
Government Advocate (Criminal Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed on the petitioner / sole accused by the learned Sessions Judge, Fast Track Mahila Court, Sivagangai, in S.C.No.56 of 2022 dated 21.08.2025, till the disposal of the appeal.

2. The case of the prosecution is that the petitioner and one Dharani, who is the daughter of the defacto complainant, are husband and wife and they have one male child, that the petitioner had abused the said Dharani in filthy language suspecting her character for several times and that on 08.05.2016, the petitioner had quarreled with the said Dharani and told her that why do you still live? It's better you die and on being provoked by the words of the petitioner, the said Dharani had committed suicide and hence, FIR came to be registered in Crime No.153 of 2016.

3. The respondent police, after completing the investigation, has filed a final report for the offences under Sections 498(A) and 306 IPC against the petitioner and the case was taken on file in P.R.C.No.30 of 2021 on the file of the District Munsif cum



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Judicial Magistrate, Thiruppuvanam and subsequently, the case was committed to Fast Track Mahila Court, Sivagangai and was taken on file in S.C.No.56 of 2022.

4. During trial, the prosecution examined 14 witnesses as P.W.1 to P.W.14 and exhibited 13 documents as Ex.P.1 to Ex.P.13. The accused adduced neither oral nor documentary evidence.

5. The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, passed the impugned judgment dated 21.08.2025 convicting the petitioner for the offence under Section 498(A) IPC and sentenced him to undergo rigorous imprisonment for two years and to pay a fine of Rs.5,000/-, in default to undergo simple imprisonment for a further period of three months. The Trial Court has already suspended the sentence imposed on the petitioner on 21.08.2025. Challenging the above said conviction and sentence, the accused has preferred the present Criminal Appeal along with the above miscellaneous petition for suspension of sentence.

6. The learned counsel appearing for the petitioner would submit that there are several infirmities in the prosecution case and further there are contradictions in



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material particulars between the evidence of the prosecution witnesses. He would further submit that the petitioner has already paid the fine amount.

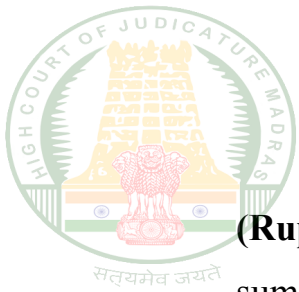
7. The learned Government Advocate (Criminal Side) appearing for the respondent police would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.

8. This Court has carefully considered the rival contentions putforth by either side and also perused the materials available on record.

9. The learned counsel appearing for the petitioner would point out certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal appeal and further the criminal appeal is not likely to be taken up for final hearing in the near future and as such, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

10. In the result, the Criminal Miscellaneous Petition is **ordered**. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

- (i) The petitioner shall execute a bond for a sum of **Rs.25,000/-**



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(Rupees Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the Fast Track Mahila Court, Sivagangai;

(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 trial Court once in a month i.e., on the first working day of every English calendar month at **10.30 a.m., until further orders** and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 B.N.S.S. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

17-09-2025

CSM

To

1.The Sessions Judge,
Fast Track Mahila Court,
Sivagangai.

2.Do through the Chief Judicial Magistrate,
Sivagangai District.

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3.The Inspector of Police,
Thiruppachethi Police Station,
Sivagangai District.

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