



**CRL MP(MD) NO. 12684 of 2024**

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-01-2025

CORAM

THE HONOURABLE MR JUSTICE P.VADAMALAI

**CRL MP(MD) NO. 12684 of 2024**

**IN**

**CRL RC(MD) NO. 1215 OF 2024**

Nagarajan  
S/o.Mohan, Perumalkoil Lane,  
East 4th Street,  
Pudukkottai.

Petitioner

Vs.

The State of Tamil Nadu  
The Inspector of Police,  
Alangudi Police Station,  
Pudukkottai District.  
Crime No.231/2017.

Respondent

**For Petitioner** : Mr.D.Rameshkumar, Advocate

**For Respondent** : Mr.M.Vaikkam Karunanithi,  
Government Advocate (Crl.side)

ORDER

This petition has been filed to suspend the sentence imposed by the learned Additional District and Sessions Judge, Pudukkottai made in Criminal Appeal No.65 of 2023, dated 28.08.2024, confirming the judgment passed by the learned District Munsif-cum-Judicial Magistrate, Alangudi, Pudukkottai District in C.C.No.116 of 2017, dated 25.04.2023 and enlarge the petitioner on bail pending



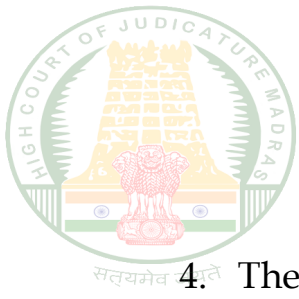
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disposal of the Criminal Revision Case.

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2. The learned counsel for the petitioner submitted that a case has been registered against the petitioner in Crime No.231 of 2017 on the file of the respondent/The Inspector of Police, Alangudi Police Station, Pudukkottai District for the offence punishable under Section 392 of IPC and the same was taken on file in C.C.No.116 of 2017 before the learned District Munsif-cum-Judicial Magistrate, Alangudi, Pudukkottai District. The petitioner was convicted for the offence under Section 392 of IPC, and sentenced him to undergo rigorous imprisonment for a period of 2 years and to pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for a period of 3 months.

3. Challenging the above said conviction and sentence, the petitioner has preferred the Criminal Appeal before the learned Additional District and Sessions Judge, Pudukkottai in Criminal Appeal No.65 of 2023, and the same was dismissed on 28.08.2024. Against which, the petitioner has preferred the present Criminal Revision Case before this Court and filed this petition for suspension of sentence.



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4. The learned counsel for the petitioner further submitted that the petitioner/Accused surrendered on 29.11.2024 and he is in custody till date. He would further submit that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses.

5. The learned Government Advocate (Crl.side) appearing for the respondent conceded that the petitioner surrendered on 29.11.2024. He would further submit that there is no previous case pending against the petitioner and he raised a formal objection to allow this petition.

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

7. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies present 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 considering the



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duration of custody, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

8. Accordingly, the suspension of sentence petition is allowed and the sentence of the imprisonment alone is suspended pending disposal of the revision on the following conditions:-

(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 District Munsif-cum-Judicial Magistrate, Alangudi, Pudukkottai District;

(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 District Munsif-cum-Judicial Magistrate Court, Alangudi, Pudukkottai District once in a month i.e., on the first working day of every English Calendar month at 10.30 a.m. until further orders.

sd/-  
06/01/2025

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06/01/2025  
Sub-Assistant Registrar ( )  
Madurai Bench of Madras High Court,  
Madurai - 625 023.



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TO  
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- 1 THE ADDITIONAL DISTRICT AND  
SESSIONS JUDGE, PUDUKKOTTAI.
- 2 THE DISTRICT MUNSIF CUM  
JUDICIAL MAGISTRATE, ALANGUDI, PUDUKKOTTAI DISTRICT.
- 3 DO THROUGH THE CHIEF JUDICIAL MAGISTRATE,  
PUDUKKOTTAI DISTRICT.
- 4 THE INSPECTOR OF POLICE,  
ALANGUDI POLICE STATION,  
PUDUKKOTTAI DISTRICT.
- 5 THE OFFICER INCHARGE,  
DISTRICT PRISON, PUDUKKOTTAI.
- 6 THE ADDITIONAL PUBLIC PROSECUTOR,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

COPY TO:  
THE SECTION OFFICER,  
CRIMINAL SECTION,  
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

ORDER  
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Date :06/01/2025

SS/SAR- /06/01/2025/ 5P/8C

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