

*Crl.MP(MD)No.13068 of 2025
in Crl.A.(MD)No.989 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 24-09-2025

**CORAM
THE HONOURABLE MR JUSTICE K.MURALI SHANKAR**

CRL MP(MD) No.13068 of 2025

in

CRL A(MD) No.989 of 2025

K.Vasi Raja

**Appellant/
Sole Accused**

Vs

The State of Tamil Nadu represented by its
The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.
(Crime No.199 of 2023)

**Respondent/
Complainant**

Prayer in CRL MP(MD).13068 of 2025 : This Criminal Miscellaneous Petition filed under Section 430 B.N.S.S. praying to suspend the sentence and grant bail to the appellant / accused prefer this instant memorandum of against the judgment dated 04.09.2025 in S.C.No.171 of 2023 on the file of the learned Fast Track Sessions Mahila Court Dindigul District for offences under Sections 417, 376(1), 294(b) and 506(1) of Indian Penal Code in Crime No.199 of 2023 on the file of the respondent police pending disposal of the instant criminal appeal on such terms and condition as may be deemed fit.



Crl.MP(MD)No.13
in Crl.A.(MD)No.989 of 2025

Prayer in CRL A(MD).989 of 2025 : This Criminal Appeal filed under Section 415 B.N.S.S. praying to call for the records of the judgment dated 04.09.2025 in S.C.No.171 of 2023 on the file of the learned Fast Track Sessions Mahila Court Dindigul District for offences under Sections 417, 376(1), 294(b) and 506(1) of Indian Penal Code in Crime No.199 of 2023 on the file of the respondent police pending disposal of the instant criminal appeal on such terms and condition as may be deemed fit.

For Petitioner: Mr.M.Antony Rajadurai

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, Dindigul, in S.C.No.171 of 2023 dated 04.09.2025, till the disposal of the appeal.

2. The case of the prosecution is that the petitioner and the defacto complainant loved each other and that on 17.03.2023, the petitioner, after taking the defacto complainant to his house, had sexual intercourse forcibly with her and on 17.06.2023, when the defacto complainant asked the petitioner to marry her, the petitioner had abused her in filthy language and also threatened her with dire consequences and hence, FIR came to be registered in Crime No.199 of 2023.

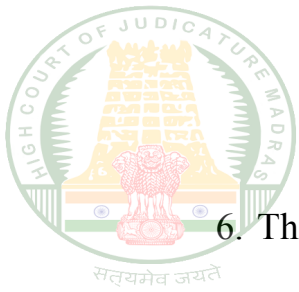


Crl.MP(MD)No.13
in Crl.A.(MD)No.989 of 2025

3. The respondent police, after completing the investigation, has filed a final report for the offences under Sections 417, 376, 294(b) and 506(1) IPC against the petitioner and the case was taken on file in P.R.C.No.65 of 2023 on the file of the Additional Mahila Court, Dindigul and subsequently, the case was committed and the same was taken on file in S.C.No.171 of 2023 and was pending before the Fast Track Mahila Court, Dindigul.

4. During trial, the prosecution examined 9 witnesses as P.W.1 to P.W.9 and exhibited 16 documents as Ex.P.1 to Ex.P.16. The accused examined 1 witness as D.W.1 and exhibited 1 document as Ex.D.1.

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 04.09.2025 convicting the petitioner for the offence under Section 417 IPC and sentenced him to undergo rigorous imprisonment for one year and to pay a fine of Rs.25,000/-, 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 04.10.2025. 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.



Crl.MP(MD)No.13
in Crl.A.(MD)No.989 of 2025

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 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 put forth 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



Crl.MP(MD)No.13
in Crl.A.(MD)No.989 of 2025

relief of suspension of sentence is granted to the petitioner on the following conditions:-

WEB COPY

(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 Fast Track Sessions Mahila Court, Dindigul 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 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.

24-09-2025

CSM

To

1.The Sessions Judge,
Fast Track Mahila Court,
Dindigul District.

5/6



Crl.MP(MD)No.13
in Crl.A.(MD)No.989 of 2025

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

3. The Inspector of Police,
Sanarpatti Police Station,
Dindigul District.

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