



CRL.M.P.(MD)No.15158 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 28.10.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.M.P.(MD)No.15158 of 2025

in

CRL.R.C.(MD)No.1163 of 2025

Marimuthu,
S/o.Perumal,
Sanu Nagar,
Vandiyur, Madurai.

... Petitioner

vs.

The State of Tamilnadu represented by
The Inspector of Police (L&O),
Anna Nagar Police Station,
Madurai City.
(Cr.No.464 of 2015)

... Respondent

PRAYER: Criminal Revision Case is filed under Section 438 r/w 442 of BNSS, 2023, to relax the condition imposed by this Court order in Paragraph No.10(III) in Crl.M.P.(MD)No.11357 of 2025 in Crl.R.C. (MD)No.1163 of 2025, dated 26.08.2025.

For Petitioner :Mr.P.Karthick
For Respondent :Mr.A.S.Abul Kalam Azad
Government Advocate



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231 of 2016 before the II Assistant Sessions Court, Madurai. During trial, the prosecution had examined 12 witnesses as PW-1 to PW-12 and exhibited 11 documents. The accused has neither adduced oral nor documentary evidence.

b)The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment dated 14.03.2018 convicting the petitioner for the offences under Section 307 of IPC and sentenced him to undergo 5 years rigorous imprisonment and to pay a fine of Rs.3,000/-, in default, to undergo simple imprisonment for six months and Section 324 of IPC and sentenced him to undergo 2 years rigorous imprisonment and to pay a fine of Rs.2,000/-, in default, to undergo simple imprisonment for 3 months. Challenging the above said conviction and sentence, the petitioner has preferred an appeal in CrI.A.No.37 of 2018 on the file of the VI Additional District and Sessions Court, Madurai. The learned VI Additional District and Sessions Judge, Madurai, by confirming the conviction and sentence, dismissed the appeal. Aggrieved by the same, the petitioner has preferred the present Criminal Revision Case.



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4.The Co-ordinate Bench of this Court, while admitting the Criminal Revision Case, vide order, dated 26.08.2025, had ordered suspension of sentence in CrI.M.P.(MD)No.11357 of 2025 in CrI.R.C.(MD)No.1163 of 2025, with the following directions:-

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

(i)the petitioner is directed to be enlarged on bail on them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned II Assistant Sessions Judge, Madurai;

(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 at 10.30 a.m. on all working days until furthers order.”

5.Today, when the matter is being taken up, Mr.P.Karthick, learned Counsel for the petitioner submits that the petitioner has been complying with the conditions imposed in CrI.M.P.(MD)No.11357 of 2025 in CrI.R.C.(MD)No.1163 of 2025, dated 26.08.2025, without fail. It was further submitted that due to the aforesaid condition, the petitioner is not



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able to attend his regular work and he is the sole breadwinner of his family. Thus, the learned Counsel for the petitioner prays this Court that the condition No.(III) of the order dated 26.08.2025 passed in Crl.M.P.(MD)No.11357 of 2025 in Crl.R.C.(MD)No.1163 of 2025 imposed on the petitioner may be relaxed and the petitioner may be directed to appear before the trial Court once in a month.

6.Mr.A.S.Abul Kalam Azad, learned Government Advocate for the respondent fairly submits that the petitioner has been complying with the conditions imposed in Crl.M.P.(MD)No.11357 of 2025 in Crl.R.C.(MD)No.1163 of 2025, dated 26.08.2025 regularly. However, he submits that the conditions imposed in Crl.M.P.(MD)No.11357 of 2025 in Crl.R.C.(MD)No.1163 of 2025, dated 26.08.2025, are justified and made objection for relaxing the condition No.(III) of the order dated 26.08.2025.

7.Accordingly, after considering the arguments as advanced by the learned Counsel for the petitioner and after perusal of the order passed by the Co-ordinate Bench of this Court in Crl.M.P.(MD)No.11357 of



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2025 in CrI.R.C.(MD)No.1163 of 2025, dated 26.08.2025 and after perusal of the affidavit filed by the petitioner in support of the prayer made for relaxation of condition No.(III) of the order, dated 26.08.2025, this Court is inclined to relax the condition No.(III) of the order, dated 26.08.2025, passed in CrI.M.P.(MD)No.11357 of 2025 in CrI.R.C.(MD)No.1163 of 2025, as follows:-

“The petitioner shall appear before the II Assistant Sessions Court, Madurai, once in a month with effect from November, 2025, ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

8.Rest of the conditions imposed in CrI.M.P.(MD)No.11357 of 2025 in CrI.R.C.(MD)No.1163 of 2025, dated 26.08.2025, are unaltered.

9.With the above modification, this Criminal Miscellaneous Petition is finally disposed of.

28.10.2025

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To

- 1.The II Assistant Sessions Judge, Madurai.
- 2.The VI Additional District and Sessions Judge, Madurai.



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SHAMIM AHMED, J.

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