



Crl.MP(MD)Nos.19342 & 19345 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.12.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.19342 & 19345 of 2025

in

Crl.RC.(MD)No.1536 of 2025

1. M.Nazheer Ahamed
S/o. Mohamed Yasin

2. N.Gulamkhadar
S/o. Nazheer Ahamed

... Petitioners

Vs.

State Of Tamilnadu Rep By Inspector Of Police,
Sivakasi Town, Sivakasi Town Police Station
Virudhunagar District.
Crime No.1011 of 2010

... Respondent

PRAYER in Crl.M.P.(MD).No.19342 of 2025 :-

To Suspend the Sentence imposed upon the petitioner in judgment passed by the Additional District Court, Srivilliputtur in Crl.A.No.24 of 2018 dated 26.09.2025 confirmed the conviction on the petitioners by the Learned Judicial Magistrate No.I, Sivakasi in C.C.No.200 of 2011 dated 06.12.2018 pending disposal of the Criminal Revision Petition.



Crl.MP(MD)Nos.19342 & 19345 of 2025

PRAYER in Crl.M.P.(MD).No.19345 of 2025 :-

To Exempt the petitioners from surrendering on the basis of the judgment passed by the Additional District Court, Srivilliputtur in Crl.A.No.24 of 2018 dated 26.09.2025 confirmed the conviction by the Learned Judicial Magistrate No.I, Sivakasi in C.C.No.200 of 2011 dated 06.02.2018 pending disposal of the criminal revision petition.

For Petitioners : Mr.S.Muniyandi
Advocate.

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.S.Muniyandi, learned Counsel for petitioners and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, who accepts notice on behalf of Respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed on petitioners by Judicial Magistrate No.I, Sivaksi, in C.C.No.200 of 2011 vide order dated 06.02.2018, which was confirmed by Additional District Court, Srivilliputhur in Crl.A.No.24 of 2018, vide order dated 26.09.2025 and to exempt the petitioners from surrendering before the Court below.



Crl.MP(MD)Nos.19342 & 19345 of 2025

3.Learned counsel for petitioners would submit that petitioners were convicted by Judicial Magistrate No.I, Sivakasi for offences punishable under Sections 406, 420, 468 r/w.120(b) of IPC in C.C. No. 200 of 2011 dated 06.02.2018 as follows:

(i) both the accused are found guilty for the offence u/s.420 of IPC and they are convicted and sentenced to undergo six month rigorous imprisonment and pay a sum of Rs.500/- each in default to undergo three months simple imprisonment.

(ii) both the accused are found guilty for the offences u/s 417 of IPC and they are convicted and sentenced to undergo six months rigorous imprisonment.

4. Aggrieved, petitioners filed Criminal Appeal No.24 of 2018, before Additional District Court, Srivilliputhur and the lower Appellate Court vide order dated 26.09.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioners filed present Criminal Revision Petition in Crl.RC(MD)No.1536 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.



Crl.MP(MD)Nos.19342 & 19345 of 2025

5. Learned Counsel for petitioners would further submit that petitioners have raised substantial grounds in the above revision, which requires consideration; and further submit that the petitioners have also paid fine amount as per the order of the trial Court. Hence, he prayed for granting suspension of sentence and bail to petitioners.

6. Learned Additional Public Prosecutor appearing for respondent opposed the submissions of learned counsel for petitioners and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioners at this stage be refused by this Court.

7. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case for that it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and exempt the petitioners from surrendering before the trial court, on the following conditions, till the disposal of above Criminal Revision:

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



Crl.MP(MD)Nos.19342 & 19345 of 2025

i) The petitioners are directed to be enlarged on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Sivakasi;

ii) The petitioners and 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;

iii) The petitioners shall appear and sign before the Judicial Magistrate No.I, Sivakasi, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if the petitioners are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of their absence, as directed by the trial Court.



Crl.MP(MD)Nos.19342 & 19345 of 2025

8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

09.12.2025

gvn

Note:
Issue Order Copy on 10.12.2025

To:

1. The Judicial Magistrate No.I, Sivakasi.
2. The Additional District Court, Srivilliputhur
3. The Inspector of Police, Sivakasi Town Police Station, Virudhunagar District.
4. The Additional Public Prosecutor, Madurai Bench of Madras High Court. Madurai.



WEB COPY



Crl.MP(MD)Nos.19342 & 19345 of 2025

MOHAMMED SHAFFIQ, J.

gvn

Order made in
Crl.MP(MD)Nos.19342 & 19345 of 2025
in
Crl.RC.(MD)No.1536 of 2025

Dated: 09.12.2025
1/2