



Crl.M.P.(MD) No.16569 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: 11.11.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.M.P(MD)No.16569 of 2025
in
CRL.R.C.(MD) No.1196 of 2025

Sakthivel
S/o.Guruva Naidu
1/17, East Street
Vadakkampatti
Kallikkudi
Madurai District.

... Petitioner

vs.

The State Represented by,
The Inspector of Police
Thirumangalam Police Station
Madurai District.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to relax the condition imposed on the petitioner Crl MP. (MD). No.11596 of 2025 in Crl R.C.(MD).No.1196 of 2025 dated 28.08.2025 on the file of this Court.

For Petitioner :Mr.S.Kishore Kumar

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



Crl.M.P.(MD) No.16569 of 2025

WEB COPY

ORDER

This Criminal Miscellaneous Petition has been filed to relax the condition imposed upon the petitioner in paragraph No.7(iii) of the order made in Crl.M.P.(MD) No.11596 of 2025 in Crl.R.C.(MD) No.1196 of 2025, dated 28.08.2025.

2.The Criminal Revision Case has been filed by the petitioner to set aside the judgment passed by the learned IV Additional District and Sessions Judge, Madurai, in C.A.No.138 of 2023, dated 08.07.2025, confirming the judgment of conviction and sentence dated 06.11.2023 passed by the learned Judicial Magistrate, Thirumangalam, in C.C.No. 161 of 2020, by which, the petitioner was convicted under Section 304(A) IPC and sentenced to undergo simple imprisonment for a period of one year and to pay a sum of Rs.5,000/- towards fine, in default, to undergo simple imprisonment for a period of one month and was also convicted under Section 279 IPC and was directed to pay a sum of Rs. 5,000/- towards fine, in default, to undergo simple imprisonment for a period of one month.



Crl.M.P.(MD) No.16569 of 2025

3.Heard Mr.S.Kishore Kumar, learned counsel for the petitioner and Mr.M.Karunanithi, learned Government Advocate (Crl.side) for the respondent.

4.The Co-ordinate Bench of this Court, while admitting the Criminal Revision Case, vide order, dated 28.08.2025, had ordered suspension of sentence in Crl.M.P(MD)No.11596 of 2025 in Crl.R.C(MD)No.1196 of 2025, with the following directions:-

“7.Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions:

(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 Judicial Magistrate, Thirumangalam.

(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;

(iii) The petitioner shall appear before the learned Judicial Magistrate, Thirumangalam, on all working days at 10.30 a.m., until further orders.”

5.Today, when the matter is being taken up, Mr.S.Kishore Kumar, learned Counsel for the petitioner submits that the petitioner has been



Crl.M.P.(MD) No.16569 of 2025

WEB COPY

duly complying with the conditions imposed in Crl.M.P(MD)No.11596 of 2025 in Crl.R.C(MD)No.1196 of 2025, dated 28.08.2025, without fail. It was further submitted that due to the aforesaid condition, the petitioner is not in a position to go to the work regularly. Therefore, the learned Counsel prays that this Court may be pleased to relax condition in Paragraph No.7(iii) of the order, dated 28.08.2025 passed in Crl.M.P(MD)No.11596 of 2025 in Crl.R.C(MD)No.1196 of 2025, wherein the Co-ordinate Bench of this Court, had directed the petitioner to appear before the learned Judicial Magistrate, Thirumangalam, once in a month ie., on the 1st working day of every English calendar month at 10.30 a.m., until further orders.

6.Mr.M.Karunanithi, learned Government Advocate (Crl.side) for the respondent submits that the petitioner has been complying with the conditions imposed in Crl.M.P.(MD) No.11596 of 2025 in Crl.R.C.(MD) No.1196 of 2025, dated 28.08.2025 and is regularly appearing before the learned Judicial Magistrate, Thirumangalam. However, he submits that the conditions imposed in Crl.M.P.(MD) No.11596 of 2025 in Crl.R.C.



Crl.M.P.(MD) No.16569 of 2025

(MD) No.1196 of 2025, dated 28.08.2025, are justified and made objection for relaxing the same.

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.11596 of 2025 in Crl.R.C.(MD) No.1196 of 2025, dated 28.08.2025 and after perusal of the affidavit filed by the petitioner in support of the prayer made for relaxation of the condition in Paragraph No.7(iii) of the order dated 28.08.2025, this Court is inclined to relax the condition in Paragraph No. 7(iii) of the order dated 28.08.2025 passed in Crl.M.P.(MD) No.11596 of 2025 in Crl.R.C.(MD) No.1196 of 2025 as follows:-

“The petitioner shall appear before the learned Judicial Magistrate, Thirumangalam, once in a month commencing from December , 2025., ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

Rest of the conditions imposed in Crl.M.P.(MD) No.11596 of 2025 in Crl.R.C.(MD) No.1196 of 2025, dated 28.08.2025 are unaltered.



Crl.M.P.(MD) No.16569 of 2025

WEB COPY 8. With the above modification, this Criminal Miscellaneous
Petition is finally disposed of.

11.11.2025

mm

To

1. The IV Additional District and Sessions Judge, Madurai.
2. The Judicial Magistrate, Thirumangalam.



WEB COPY



Crl.M.P.(MD) No.16569 of 2025

SHAMIM AHMED, J.

mm

CRL.M.P(MD)No.16569 of 2025
in
CRL.R.C.(MD)No.1196 of 2025

11.11.2025