



CRL.M.P.(MD)No.17465 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 20.11.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.M.P.(MD)No.17465 of 2025

in

CRL.R.C.(MD)No.827 of 2025

Sankar,
S/o.Ramar,
No.37, EB Colony,
Kulavaippatty, Airport,
Trichy.

... Petitioner

vs.

1.The State of Tamil Nadu,
Rep by The Inspector of Police,
Golden Rock All Women Police Station,
Tiruchirappalli.
(Crime No.21 of 2020)

2.Gomathi,
W/o.Sankar,
D/o. Krishnamoorthi,
No. 1/270, Melatheru,
Gundur Village, Thiruverumbur Taluk
Trichy District.

... Respondents



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PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to modify the condition imposed by this Court in Crl.R.C. (MD). No.827 of 2025, dated 16.10.2025, as 14(V) The revision Petitioner shall pay the remaining 50% of the compensation amount i.e., Rs. 5,00,000/- (Rupees Five Lakh only) to the 2nd Respondent / Gomathi/Wife/Victim, within 30 days from the date of judgment of the appeal in C.A.No.52 of 2025 pending before the learned III Additional District and Sessions Judge, Tiruchirappalli.

For Petitioner	:Mr.K.Arunraj
For R1	:Mr.A.S.Abul Kalam Azad
	Government Advocate

ORDER

Heard Mr.K.Arunraj, learned Counsel for the petitioner and Mr.A.S.Abul Kalam Azad, learned Government Advocate for the first respondent.

2.The present Criminal Miscellaneous Petition has been filed with the following prayer:



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“to modify the condition imposed by this Court in the order dated 16.10.2025 passed in CrI.R.C.(MD). No.827 of 2025, in respect of paragraph no. 14(v) that the Revision Petitioner shall pay the remaining 50% of the compensation amount i.e., Rs. 5,00,000/- (Rupees Five Lakh only) to the 2nd Respondent / Gomathi/Wife/Victim, within 30 days from the date of judgment of the appeal in C.A.No.52 of 2025 pending before the learned III Additional District and Sessions Judge, Tiruchirappalli.”

3.The Criminal Revision Petition has been filed to set aside the judgment passed by the learned III Additional District and Sessions Judge, Tiruchirappalli in CrI.M.P.No.1956 of 2025 in C.A.No.52 of 2025 dated 11.06.2025, whereby, the learned III Additional District and Sessions Judge, Tiruchirappalli, dismissed the petition for suspension of sentence filed by the revision petitioner in Cr.M.P.No.1956 of 2025 in C.A.No.52 of 2025, as against the order passed by the learned Chief Judicial Magistrate, Tiruchirappalli in S.C.No.26 of 2022, dated 17.02.2025, in which the Revision Petitioner was found guilty of offence under Section 3(1) and 4 of Dowry Prohibition Act; Section 498A IPC



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and 307 IPC, on the ground that the Revision Petitioner failed to deposit Rs.10,00,000/- as compensation to the victims (his wife, Gomathi, and their daughter) and also considering the serious nature of the charges and the fact that the Revision Petitioner had already been incarcerated for 85 days following the trial Court's judgment.

4.This Court vide, order, dated 16.10.2025, had disposed of the above Criminal Revision Case with the following directions:

“14.Accordingly, in view of the submissions and observations made, the relief of suspension of sentence and bail is granted to the revision petitioner, namely Sankar, S/o.Ramar, on the following conditions:

(i) The Revision petitioner is ordered to be released on bail on his executing a personal bond along with two sureties for a sum of Rs.10,000/- each subject to furnishing undertaking that he will co-operate in the hearing of the pending Appeal in C.A.No. 52 of 2025 pending before the learned III Additional District and Sessions Judge, Tiruchirappalli.

(ii) The Revision petitioner 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; and;

(iii) The petitioner shall appear before the learned Chief Judicial Magistrate, Tiruchirappalli, once in every month, ie., on the first working day, commencing from the month of November 2025, at 10.30 a.m., until final decision of the Appeal in C.A.No. 52 of 2025 pending before the learned III Additional District and Sessions Judge, Tiruchirappalli.



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(iv) *The learned III Additional District and Sessions Judge, Tiruchirappalli is directed to decide the appeal in C.A.No. 52 of 2025 expeditiously.*

(v) *The Revision Petitioner shall pay the remaining 50% of the compensation amount ie., Rs.5,00,000/- [Rupees Five Lakh only] to the 2nd Respondent/Gomathi/wife/victim, within 30 days from the date of judgment of the appeal in C.A.No.52 of 2025 pending before the learned III Additional District and Sessions Judge, Tiruchirappalli*

15. On acceptance of his bail bonds and sureties, the learned trial court shall transmit photostat copies thereof to the Registrar Judicial of this Court for being kept on records of this Revision Petition and also to the lower Appellate Court.

16. In the meantime, the 2nd Respondent, Mrs.Gomathi, W/o.Sankar, D/o.Krishnamoorthi, No.1/270, Melatheru, Gundur Village, Tiruverumbur Taluk, Trichy District is permitted to file an application before the trial Court for withdrawal of Rs. 5,00,000/-,(Rupees Five Lakh only) which was deposited by the Revision Petitioner on 15.10.2025 to the credit of S.C.No.26 of 2022, dated 17.02.2025 on the file of the learned Chief Judicial Magistrate, Tiruchirappalli. Upon receipt of such application, the Chief Judicial Magistrate Court, Tiruchirappalli, is directed to process the same and release the aforesaid amount to the 2nd Respondent, Mrs.Gomathi, W/o.Sankar, D/o.Krishnamoorthi, No. 1/270, Melatheru, Gundur Village, Tiruverumbur Taluk, Trichy District, within a period of ten (10) days from the date of receipt of the application.

17. With the above directions, this Criminal Revision Petition is finally disposed of. Consequently, connected Criminal Miscellaneous Petition stands disposed of.”

5.Mr.K.Arunraj, learned Counsel for the petitioner submits that in compliance with the order passed by this Court, dated 14.10.2025, the



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Revision Petitioner has already deposited 50% of the compensation amount, ie., Rs.5,00,000/- on 15.10.2025 to the credit of S.C.No.26 of 2022 on the file of the Chief Judicial Magistrate, Tiruchirappalli. He further submitted that while disposing of the above Criminal Revision Case, this Court further directed the Revision Petitioner to pay the remaining 50% of the compensation amount i.e., Rs. 5,00,000/- (Rupees Five Lakh only) to the 2nd Respondent/Gomathi/Wife/Victim, within 30 days from the date of judgment of the appeal in C.A.No.52 of 2025 pending before the learned III Additional District and Sessions Judge, Tiruchirappalli. Thus, he submits that the condition to pay the remaining 50% of the compensation amount alone may be modified to the extent that the remaining 50% of the compensation amount shall be paid subject to the outcome of the appeal pending before the lower Appellate Court.

6.Mr.A.S.Abul Kalam Azad, learned Government Advocate for the respondent has made objections to the submissions made by the learned Counsel for the petitioner, as this Court has rightly passed the order, dated 16.10.2025, in Crl.R.C(MD)No.827 of 2025.



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7.I have heard the submissions made by the learned Counsel for the parties and perused the order, dated 16.10.2025, passed in CrI.R.C(MD)No.827 of 2025 as well as the affidavit filed in support of this petition.

8.On perusal of the order passed by this Court, dated 16.10.2025, this Court is of the view that this Court has passed the aforesaid order after taking into consideration the entire materials available on record and also after considering the submissions made on either side. Further, on perusal of the affidavit filed in support of this petition, the petitioner has not made out any ground to modify the condition imposed by this Court in Paragraph No.14(v) of the order, dated 16.10.2025, passed in CrI.R.C.(MD)No.827 of 2025. Hence, this Court is not inclined to entertain this petition at this stage.



20.11.2025

To

- 1.The III Additional District and Sessions Judge, Tiruchirappalli.
- 2.The Chief Judicial Magistrate, Tiruchirappalli.
- 3.The Inspector of Police,
Golden Rock All Women Police Station,
Tiruchirappalli.



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SHAMIM AHMED, J.

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