



Crl.MP(MD)Nos.18785 and 18786 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.12.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.18785 and 18786 of 2025

in

Crl.RC.(MD)No.1490 of 2025

Santhanakumar

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
Lalapet Police Station,
Karur District.
(Crime No.151 of 2019)

... Respondent

Prayer : This Criminal Miscellaneous Petition filed under Section 438(1) of B.N.S.S. praying to suspend the sentence imposed upon the Revision Petitioner by the judgment dated 06.10.2025 made in Cr.A.No. 152 of 2024, on the file of the District and Sessions Judge, Karur in C.C.No.99 of 2019 on the file of the learned Judicial Magistrate No.I, Kulithalai and enlarge the Petitioner on bail pending disposal of the above appeal.



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For Petitioner : Mr.K.Althaf Sheriff
For M/s.Ajmal Associates

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.K.Althaf Sheriff, learned Counsel for M/s.Ajmal Associates for the petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, who accepts notice on behalf of the Respondent.

2. This Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate No.I, Kulithalai, in C.C No.99 of 2019, dated 23.07.2024, which was confirmed by the learned District and Sessions Judge, Karur, in Criminal Appeal No.152 of 2024, dated 06.10.2025.

3. Learned counsel for the petitioner would submit that the petitioner was convicted by the learned Judicial Magistrate No.I, Kulithalai for the offences punishable under Sections 279 and 304(A) (2 counts) IPC in C.C No.99 of 2019, dated 23.07.2024, and sentenced him



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(i) to undergo simple imprisonment for three months, for offence under Section 279 IPC; (ii) to undergo simple imprisonment for one year and to pay a fine of Rs.1000/-, in default to undergo one month simple imprisonment, for each count, for the offence under Section 304(A) (two counts) IPC. Aggrieved petitioner filed Criminal Appeal No.152 of 2024, before the learned District and Sessions Judge, Karur and the lower Appellate Court vide order dated 06.10.2025, dismissed the appeal confirming the judgment passed by Trial Court. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.1490 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.

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



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5. Learned Additional Public Prosecutor appearing for the respondent has opposed the submissions made by the learned counsel for the petitioner and submits that the judgments passed by both the Courts are as per law after considering the entire evidence, thus the relief sought by the petitioner at this stage be refused by this Court.

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

i) The petitioner is directed to be enlarged on bail on his 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 Judicial Magistrate No.I, Kulithalai;

ii) The 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;

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



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

iv) In case, if the petitioner is not able to appear before the trial Court on any day, he 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 his absence, as directed by the trial Court.

7. Accordingly, these Criminal Miscellaneous Petitions are **ordered.**

01.12.2025

Nsr



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Note: Issue Order Copy on 05.12.2025

To:

1. The Judicial Magistrate No.I, Kulithalai.
2. The District and Sessions Judge, Karur.
3. The Inspector of Police,
Lalapet Police Station,
Karur District.
(Crime No.151 of 2019)
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

Nsr

Order made in
Crl.MP(MD)Nos.18785 and 18786 of 2025
in
Crl.RC.(MD)No.1490 of 2025

Dated: 01.12.2025