



Crl.MP(MD)No.18967 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **02.12.2025**

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)No.18967 of 2025
in
Crl.RC.(MD)No.1500 of 2025

Marimuthu

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
Anti Land Grabbing Special Cell,
Thoothukudi District.
(Crime No.26 of 2012)

... Respondent

Prayer : This Criminal Miscellaneous Petition filed under Section 438(1) of B.N.S.S. praying to suspend the conviction and sentence passed by the learned Principal Sessions Judge, Thoothukudi in Crl.A.No.15 of 2019, dated 13.11.2025 by confirming the order of conviction and sentence passed by the learned Judicial Magistrate, Special Court for Land Grabbing Cases, Thoothukudi, in C.C.No.1 of 2016, dated 02.02.2019 pending disposal of the above Criminal Revision.



Crl.MP(MD)No.18967 of 2025

For Petitioner : Mr.R.Ramasamy
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.R.Ramasamy, learned Counsel for the Revision Petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, who accepts notice on behalf of the Respondent.

2. Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed on petitioner by Judicial Magistrate, Special Court for Land Grabbing Cases, Thoothukudi, in C.C.No.1 of 2016, dated 02.02.2019, which was confirmed by Principal Sessions Judge, Thoothukudi in Crl.A.No.15 of 2019, dated 13.11.2025.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Special Court for Land Grabbing Cases, Thoothukudi for offence under Sections 419, 468 r/w 34 IPC and 471 IPC and sentenced him to undergo Simple Imprisonment for two years and to pay a fine of Rs.3000/- each for offences under Sections 419



Crl.MP(MD)No.18967 of 2025

and 468 IPC r/w 34 IPC and Section 471 IPC, in default of payment of fine, to undergo simple imprisonment for one month for each default payment of fine. Aggrieved, petitioner filed Criminal Appeal No.15 of 2019, before Principal Sessions Judge, Thoothukudi and lower Appellate Court vide order dated 13.11.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.1500 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence and bail.

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

5. Learned Additional Public Prosecutor appearing for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering



Crl.MP(MD)No.18967 of 2025

the entire evidence, thus the relief sought by 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, for it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and bail, on the following conditions, till the disposal of above Criminal Revision:

i) 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.IV, Thoothukudi;

ii) 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



Crl.MP(MD)No.18967 of 2025

WEB COPY

iii) Petitioner shall appear and sign before Judicial Magistrate

No.IV. Thoothukudi, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if 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, this Criminal Miscellaneous Petition is **ordered**.

02.12.2025

Nsr

Note: Issue Order Copy on 10.12.2025.



Crl.MP(MD)No.18967 of 2025

To:

WEB COPY

1. The Principal Sessions Judge, Thoothukudi.
2. The Judicial Magistrate, Special Court for Land Grabbing Cases, Thoothukudi.
3. The Judicial Magistrate No.IV, Thoothukudi.
4. The Inspector of Police,
Anti Land Grabbing Special Cell,
Thoothukudi District.
(Crime No.26 of 2012)
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



WEB COPY



Crl.MP(MD)No.18967 of 2025

MOHAMMED SHAFFIQ, J.

Nsr

Order made in
Crl.MP(MD)No.18967 of 2025
in
Crl.RC.(MD)No.1500 of 2025

Dated: 02.12.2025