



CRL MP(MD). No.19571 & 19572 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : 10/12/2025

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.19571 & 19572 of 2025

in

CRL RC(MD)No.1564 of 2025

Ramanathan
S/o. Arumugam

... Petitioners

Vs

The State Of Tamilnadu Rep By
Inspector Of Police,
Thirupalaikudi Police Station
Ramanathapuram District.
(In Crime No. 26 of 2010)

... Respondent

PRAYER in Crl.M.P.(MD).No.19571 of 2025 :-

To suspend the sentence passed in Crl.A.No.29/2023 on the file of the learned Additional District and Sessions Court, Ramanathapuram dated 06.11.2025 confirming the judgment dated 31.03.2023 passed in CC.No. 44/2022 on the file of the learned Judicial Magistrate Court, Thiruvadanai and release the petitioner/appellant on bail pending disposal of the above criminal revision petition.



CRL MP(MD). No.19571 & 19572 of 2025

PRAYER in CrI.M.P.(MD).No.19572 of 2025 :-

To exempt the petitioner from surrendering in C.A.No.29/2023 on the file of the learned Additional District and Sessions Court, Ramanathapuram dated 06.11.2025 confirming the judgment dated 31.03.2023 passed in CC.No.44/2022 on the file of the learned Judicial Magistrate Court, Thiruvadanai.

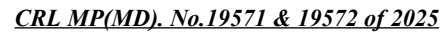
For Petitioners : Mr. G.Sridharan,
Advocate.

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.G.Sridharan, learned Counsel for petitioner 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 petitioner by Judicial Magistrate Court, Thiruvadanai, in CC.No.44 of 2022 vide order dated 31.03.2023, which was confirmed by Additional District and Sessions Court, Ramanathapuram in CrI.A.No.29 of 2023, vide order dated 31.03.2023 and to exempt the petitioner from surrendering before the Court below.



4. Aggrieved, petitioner filed Criminal Appeal No.29 of 2023, before Additional District and Sessions Court, Ramanathapuram and the lower Appellate Court vide order dated 06.11.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in CrI.RC(MD)No.1564 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.

5. Learned counsel would submit that petitioner was accused of offences under Section 324 and 506(2) of IPC by the defacto complainant, who was his brother. It is submitted that there were civil



CRL MP(MD), No.19571 & 19572 of 2025

disputes between the petitioner herein and his brother, who is the defacto complainant and an FIR was registered against petitioner and his wife in Crime No.26 of 2010 for offences under Section 324 IPC against the petitioner's wife and under Section 326 and 506(2) IPC against the petitioner. The petitioner's wife was acquitted of all the charges. The petitioner was acquitted of the charges under Section 506(ii) IPC, but was convicted for the offence under Section 326 of IPC. Learned counsel would submit that the Courts below failed to appreciate relevant factors, *inter alia*, viz.,

a) that the deposition of P.W.1 is contradictory and was not corroborated with any other witnesses;

b) that there were inconsistencies in deposition of the prosecution witnesses and the FIR, in particular, deposition of P.W.9;

c) Mahazar witnesses had deposed that sketch was not prepared in their presence.

He would thus submit, that apart, petitioner has raised substantial grounds in the above revision, which requires consideration. Hence, he prayed for granting suspension of sentence and bail to petitioner.



CRL MP(MD), No.19571 & 19572 of 2025

6. 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 the entire evidence, thus the relief sought by petitioner 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 and 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 petitioner from surrendering before the trial court, on the following conditions, till the disposal of 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 Judicial Magistrate Court, Thiruvadanai;

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



CRL MP(MD), No.19571 & 19572 of 2025

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;

iii) The petitioner shall appear and sign before the Judicial Magistrate Court, Thiruvadanai, on the first working day of every month at 10.30 a.m., until the disposal of 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.

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

10.12.2025

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Note:Issue Order Copy on 18.12.2025.



CRL MP(MD), No.19571 & 19572 of 2025

To

1. The Judicial Magistrate Court, Thiruvadanai.
2. The Additional District and Sessions Court,
Ramanathapuram
3. The Inspector Of Police,
Thirupalaikudi Police Station,
Ramanathapuram District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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CRL MP(MD). No.19571 & 19572 of 2025

MOHAMMED SHAFFIQ, J

gvn

ORDER
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CRL MP(MD). Nos.19571 & 19572 of 2025
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Date : 10/12/2025
2/2