



CRL MP(MD). Nos.19266 and 19267 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 08/12/2025

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.19266 and 19267 of 2025
in
CRL RC(MD)No.1523 of 2025

Peter

... Petitioner

Vs

State of Tamilnadu, Rep. By,
The Sub-Inspector of Police,
Police Station,
Pudukottai District.
(Crime No. 72 of 2016).

... Respondent

PRAYER in CRL MP(MD). No.19266 of 2025:-

To Suspend the Execution of Sentence imposed on me by the Learned District Munsiff cum Judicial Magistrate, Illupur in C.C. No. 37 of 2019 dt. 9th January 2023 and confirmed by the Learned Additional District and Sessions Judge, Pudukottai, in C.A.No.9 of 2023 dated 9.10.2025 and enlarge the petitioner on bail, pending disposal of the Criminal Revision Petition.

PRAYER in CRL MP(MD). No.19267 of 2025:-

To exempt the petitioner from appearing before the learned Additional District and Sessions Judge, Pudukottai, in C.A.No.9 of 2023 dated



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9.10.2025 and also exempt the petitioner from appearing before the learned District Munsiff cum Judicial Magistrate, Illupur, with regard to the sentence of imprisonment passed in C.C. No. 37 of 2019 dated 9th January 2023.

For Petitioner : Mr. R M Sivakumar,
Advocate.

For Respondent : Mr.A.Thiruvadi Kumar
Additional Public Prosecutor

ORDER

Heard Mr.R M Sivakumar, 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 District Munsif cum Judicial Magistrate, Illupur in C.C. No. 37 of 2019 dated 09.01.2023, which was confirmed by Additional District and Sessions Judge, Pudukottai, in C.A.No.9 of 2023 dated 9.10.2025 and to exempt the petitioner from appearing before the learned Additional District and Sessions Judge, Pudukottai, in C.A.No.9 of 2023 dated 9.10.2025 and



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also exempt the petitioner from appearing before the learned District Munsif cum Judicial Magistrate, Illupur, with regard to the sentence of imprisonment passed in C.C. No. 37 of 2019 dated 9th January 2023

3. Learned counsel for petitioner would submit that petitioner was convicted by District Munsif cum Judicial Magistrate, Illupur for offences punishable under Sections 304(A) of IPC in C.C. No. 37 of 2019 dated 09.01.2023 as follows: (i) to undergo one year simple imprisonment and to pay a fine of Rs.5000/- in default to undergo simple imprisonment for two months. Aggrieved petitioner filed Criminal Appeal No.9 of 2023, before Additional District and Sessions Judge, Pudukottai and the lower Appellate Court vide order dated 09.10.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.1523 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 the above revision, which



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requires consideration; and that he also paid fine amount as per the order of the 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 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 that it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail 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

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



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sureties each for a like sum to the satisfaction of the learned District
Munsif Cum Judicial Magistrate, Illupur;

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 learned District
Munsif Cum Judicial Magistrate, Illupur, 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.

7. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

08.12.2025

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Issue Order Copy on 09.12.2025.

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MOHAMMED SHAFFIQ, J

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To:

1. The District Munsif Cum Judicial Magistrate, Illupur.
2. The Additional District and Sessions Judge, Pudukkottai.
3. The Police Station,
Pudukottai District.
(Crime No. 72 of 2016)
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.

ORDER
IN

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in

CRL RC(MD)No.1523 of 2025

Date : 08/12/2025