



CRL MP(MD). Nos.19286 and 19287 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.19286 and 19287 of 2025
and
Crl.RC(MD)No.1526 of 2025

1. Mariammal,

2. Deepamani,

... Petitioners

Vs

The State of Tamilnadu,
Rep by the Sub Inspector of Police,
Soolakarai Police Station,
Virudhunagar District.
Crime No.199/2014.

... Respondent

PRAYER in CRL MP(MD). No.19286 of 2025 :-

To Suspend the sentence imposed by Judgment dated 28.11.2025 made in Crl A No.93/2024 on the file of Addl District Judge, Virudhunagar modifying the Judgment dated 14.06.2024 made in CC No. 59/2015 on the file of the Judicial Magistrate Court No.II, Virudhunagar and enlarge the petitioners on bail.



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PRAYER in CRL MP(MD). No.19287 of 2025 :-

To grant exemption from surrender of petitioners pertains to the judgment dated 28.11.2025 made in Crl.A.No.93 of 2024 on the file of Additional District Judge, Virudhunagar, modifying the judgment dated 14.06.2024 made in C.C.No.59 of 2015 on the file of the Judicial Magistrate Court No.II, Virudhunagar.

For Petitioners : 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 petitioners 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 petitioners by Judicial Magistrate Court No.II, Virudhunagar, made in CC No.59/2015 dated 14.06.2024, which was modified by Additional District Judge, Virudhunagar, made in



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Crl.A.No.93 of 2024 dated 28.11.2025 and also to exempt the petitioners from surrendering before the Court below.

3. Learned counsel for petitioners would submit that first petitioner / A1 was convicted for offences punishable under Sections 448 of IPC and the second petitioner / A2 was convicted for the offences punishable under Section 448 and 324 of IPC, by Judicial Magistrate Court No.II, Virudhunagar, in CC No.59/2015 dated 14.06.2024 and sentenced as follows:

(i) to pay a fine of Rs.1000/- and in default of payment, Simple Imprisonment for 1 month against 1st petitioner for the offence under Section 448 of I.P.C., and

(ii) to undergo simple imprisonment for 1 year for the offence under Section 324 of IPC and to pay a fine of Rs.1000/-, in default of payment, simple imprisonment for 1 month for the offence under Section 448 of IPC as against the second petitioner.



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4. Aggrieved, petitioners filed Criminal Appeal No.93 of 2024, before Additional District Judge, Virudhunagar and the lower Appellate Court vide judgment dated 28.11.2025, dismissed the appeal modifying the judgment passed by Trial Court as follows:

(i) First petitioner / A1 was convicted for the offences under Sections 294(b), 448 and 506(ii) of IPC and sentenced as follows:

(a) to undergo simple imprisonment of three months for the offence under Section 294(b) of IPC and to pay a fine of Rs.1,000/- in default, to undergo simple imprisonment of two weeks.

(b) to undergo simple imprisonment of three months for the offence under Section 448 of IPC and to pay a fine of Rs.500/- in default, to undergo Simple Imprisonment of one week.

(c) to undergo Simple imprisonment of one year for the offence punishable under Section 506(ii) of IPC and to pay a fine of Rs.1,000/- in default, to undergo Simple imprisonment of two weeks.



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ii) Second Petitioner / A2 was convicted for the offences under Sections 294(b), 324, 448 and 506(ii) of IPC and sentenced as follows :

a) to undergo simple imprisonment of three months for the offence punishable under Section 294(b) of IPC and to pay a fine of Rs.1000/- in default, to undergo simple imprisonment of two weeks.

b) to undergo simple imprisonment of six months for the offence punishable under Section 324 of IPC and to pay a fine of Rs.1000/- in default, to undergo simple imprisonment of two weeks.

c) to undergo simple imprisonment of three months for the offence punishable under Section 448 of IPC and to pay a fine of Rs.500/- in default, to undergo simple imprisonment of one week.

d) to undergo simple imprisonment of one year for the offence punishable under Section 506(ii) of IPC and to pay a fine of Rs.1000/- in default, to undergo simple imprisonment of two weeks.



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Aggrieved, petitioners filed present Criminal Revision Petition in Crl.RC(MD)No.1526 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence and bail and exemption from surrender.

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

6. Learned Additional Public Prosecutor appearing for respondent opposed the submissions of learned counsel for petitioners and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioners 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



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heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioners from surrendering before the trial Court, on the following conditions, till the disposal of above Criminal Revision:

i) The petitioners are directed to be enlarged on bail on their executing a bond each 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 Court No.II, Virudhunagar;

ii) The petitioners 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 petitioners shall appear and sign before the learned Judicial Magistrate Court No.II, Virudhunagar, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if the petitioners are not able to appear before the trial Court on any day, they 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 their absence, as directed by the trial Court.

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



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

08.12.2025

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Issue Order Copy on 26.12.2025.

To

1. The Additional District and Sessions Judge, Pudukottai.
2. The Judicial Magistrate Court No.II, Virudhunagar.
3. The Sub Inspector of Police, Soolakarai Police Station,
Virudhunagar District. Crime No.199/2014.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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MOHAMMED SHAFFIQ, J

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ORDER
IN
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and
CrI.RC(MD)No.1526 of 2025

Date : 08/12/2025