



CRL MP(MD). No.19391 & 19394 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **09/12/2025**

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.19391 & 19394 of 2025
in
CRL RC(MD)No.1546 of 2025

1. Srirengammal
W/o.Jeyakumar

2. Thamodharan
S/o.Kamaraj

... Petitioners

Vs

The State of Tamilnadu
Rep by The Inspector of Police
Anti Land Grabbing Special Cell
Thoothukudi District.
Crime No.26/2012.

... Respondent

PRAYER in CrI.M.P.(MD).No.19391 of 2025 :-

To Suspend the sentence of the petitioners imposed in Judgment in CrI.A.No.14 of 2019 judgment dated 13.11.2025 on the file of the learned Principal Sessions Judge, Thoothukudi confirmed the judgment dated 02.02.2019 in CC No.1 of 2016 on the file of the Special Court for Land Grabbing Cases, Thoothukudi pending disposal of the above Criminal Revision Petition.



CRL MP(MD). No.19391 & 19394 of 2025

PRAYER in Crl.M.P.(MD).No.19394 of 2025 :-

To Exempt the 1st petitioner herein from surrender before the learned Principal Sessions Judge, Thoothukudi in Crl A No.14/2019 judgment dated 13.11.2025 on the file of the Learned Principal Sessions Judge, Thoothukudi confirmed the judgment dated 02.02.2019 in C.C.No.1 of 2016 on the file of the Special Court for Land Grabbing Cases, Thoothukudi, pending disposal of above Criminal Revision Petition.

For Petitioners : Mr. M.Prabu,
Advocate.

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.M.Prabu, 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 Special Court for Land Grabbing Cases, Thoothukudi, in CC.No.1 of 2016 vide order dated 02.02.2019, which was confirmed by Principal Sessions Judge, Thoothukudi in Crl.A.No.14 of 2019, vide order dated 13.11.2025 and to exempt the 1st petitioner from surrendering before the Court below.



CRL MP(MD), No.19391 & 19394 of 2025

3. Learned counsel for petitioners would submit that petitioners were convicted by Special Court for Land Grabbing Cases, Thoothukudi for offences punishable under Sections 419 & 468 of IPC r/w. Section 34 of IPC in C.C. No.1 of 2016 dated 02.02.2019 as follows:

(i) to undergo two years of simple imprisonment with a fine of Rs. 5,000/- each, in default, to undergo one month simple imprisonment for each default of payment of fine. Aggrieved, petitioners filed Criminal Appeal No.14 of 2019, before Principal Sessions Judge, Thoothukudi and the lower Appellate Court vide order dated 13.11.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioners filed present Criminal Revision Petition in Crl.RC(MD)No. 1546 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.

4. Learned Counsel for petitioners would further submit that petitioners have raised substantial grounds in the above revision, which requires consideration; and that they have also paid fine amount as per the order of the trial Court. He further submit that this Court had already granted an order of suspension of sentence to the co-accused in



CRL MP(MD), No.19391 & 19394 of 2025

CrI.MP(MD).18967/2025 in CrI.RC.(MD).No.1500 of 2025 dated 02.12.2025. Hence, he prayed for granting suspension of sentence and bail to petitioners.

5. 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.

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 and exempt the first petitioner from surrendering before the trial court, on the following conditions, till the disposal of above Criminal Revision:

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



CRL MP(MD), No.19391 & 19394 of 2025

i) The petitioners are directed to be enlarged on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Special Court for Land Grabbing Cases, Thoothukudi;

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 Special Court for Land Grabbing Cases, Thoothukudi, 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.

7. Accordingly, these Criminal Miscellaneous Petitions are ordered.

09.12.2025

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CRL MP(MD). No.19391 & 19394 of 2025

Note

Issue Order Copy on 10.12.2025.

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To

1. The Special Court for Land Grabbing Cases, Thoothukudi
2. The Principal Sessions Judge, Thoothukudi.
3. The Inspector of Police, Anti Land Grabbing Special Cell,
Thoothukudi District.
(Thro Cr.No.26/2012).
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
5. Central Jail,
Palayamkottai.



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CRL MP(MD). No.19391 & 19394 of 2025

MOHAMMED SHAFFIQ, J

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ORDER
IN
CRL MP(MD). Nos.19391 & 19394 of 2025
in
CRL RC(MD)No.1546 of 2025

Date : 09/12/2025
2/2