



Crl.M.P(MD)No.19870 of 2025
in
Crl.A(MD)No.1056 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 15.12.2025

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**
AND
THE HONOURABLE **MS.JUSTICE R.POORNIMA**

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in
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Muthuselvam

... Petitioner/Accused No.2

Vs.

State through the
The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.
Crime No.98 of 2022.

... Respondent/Complainant

PRAYER: Petition filed under Section 430(1) of BNSS, to suspend the sentence imposed on the appellant/accused No.2 namely, Muthuselvam by the learned I Additional District and Sessions Judge, Thoothukudi, in S.C.No.307 of 2022 dated 14.10.2024 and enlarge the appellant on bail.



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For Petitioner : Mr.M.Chandra Sekaran
For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

Seeking suspension of the sentence imposed on the petitioner by the learned I Additional District and Sessions Judge, Thoothukudi, *vide* Judgment dated 14.10.2024 in S.C.No.307 of 2022, the petitioner has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 r/w 34 of IPC	Life Imprisonment	Rs.5,000/- i/d to undergo one month Simple Imprisonment
120(b)(1) of IPC	Life Imprisonment	Rs.5,000/- i/d to undergo one month Simple Imprisonment



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3. Heard the learned counsel on either side and perused the materials available on record.

4. Considering the *prima facie* case made out by the petitioner and that there are several arguable points and also considering the fact that the appeal is of the year 2024 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

5. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

- i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only)



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with two sureties, each for a like sum to the satisfaction of the learned I Additional District and Sessions Judge, Thoothukudi.

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.

iii. The petitioner shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every month till the disposal of the Criminal Appeal.

[G.K.I.J.] & [R.P.J.,]
15.12.2025

Index : Yes / No
Neutral Citation : Yes / No
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To

1. The I Additional District and Sessions Judge,
Thoothukudi.

2. The Inspector of Police,
Kurumbur Police Station,
Thoothukudi District.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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