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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 19711 and 19713 of 2025

IN

CRL RC(MD) NO. 1584 OF 2025

1. M.Durairaj

2. V.S.VENKATANARASHIMAN

Petitioner(s)
for both cases

Vs

1. State Of Tamilnadu Rep By
Inspector Of Police,
Vengamedu Police Station
Karur.

Respondent(s)
for both cases

For Petitioner(s):

Mr.K.Suresh
for both cases

For Respondent(s):

Mr.Karunanithi
Government Advocate (Crl.Side)
for both cases

Prayer for CRL MP(MD) NO. 19711 of 2025:

To suspend the operation of the sentence imposed upon us by
the Principal Sessions Judge, Karur in Criminal Appeal No.101 of 2019



dated 18.08.2025 confirming the conviction and sentence imposed upon the Revision petition by the Judicial Magistrate NO.I, Karur in C.C.No. 120 of 2009 dated 11.10.2019 pending disposal of the above mentioned criminal revision case.

Prayer for CRL MP(MD) NO. 19713 of 2025:

To grant an order of exemption from surrendering before the Trial Court/Appellate Court for serving the sentence imposed upon us by the Principal Sessions Judge, Karur in Criminal Appeal No.101 of 2019 dated 18.08.2025 confirming the conviction and sentence imposed upon the revision petitioners by the judicial Magistrate No.I, Karur, in C.C.No. 120 of 2009 dated 11.10.2019 pending disposal of the above mentioned criminal revision case.

COMMON ORDER

Heard Mr.K.Suresh, learned Counsel for the Petitioners and Mr.Karunanithi, learned Government Advocate (Crl.Side), who accepts notice on behalf of the Respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed on petitioners by Judicial Magistrate NO.I, Karur, in C.C.No.120 of 2009, dated 11.10.2019, which was confirmed by Principal Sessions Judge, Karur in Crl.A.No.101 of 2019, dated 18.08.2025 and to exempt the petitioners from surrendering before the Court below.



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3. Learned counsel for petitioners would submit that petitioners were convicted by Judicial Magistrate NO.I, Karur for offence under Sections 468 r/w 109 of IPC and sentenced them to undergo Simple Imprisonment for two years each and to pay a fine of Rs.1000/- each for offences under Sections 468 r/w 109 IPC, in default of payment of fine, to undergo simple imprisonment for one month (each). Aggrieved, petitioners filed CrI.A.No.101 of 2019, before Principal Sessions Judge, Karur and lower Appellate Court vide order dated 18.08.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioners filed present Criminal Revision Petition in CrI.RC(MD)No. 1584 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence and bail and exemption from surrender.

4. Learned Counsel for petitioners would further submit that petitioners have raised substantial grounds in above revision, which requires consideration. Hence, he prayed for granting suspension of sentence and bail to petitioners and exemption from surrender.



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5. Learned Government Advocate (Crl.Side) 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 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 petitioners from surrendering before the trial court, on the following conditions, till the disposal of above Criminal Revision:

i) Petitioners are directed to be enlarged on bail on their 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 learned **Judicial Magistrate No.I, Karur;**

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



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ii) 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) Petitioners shall appear and sign before Judicial Magistrate No.I, Karur, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if 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.**

11-12-2025

LR



Note: Issue order copy on .12.2025

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1. The Judicial Magistrate No.I, Karur.

2. State Of Tamilnadu Rep By
Inspector Of Police,
Vengamedu Police Station
Karur.