



Crl.MP(MD)Nos.20475 and 20479 of 2025

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.20475 and 20479 of 2025

in

Crl.RC.(MD)No.1654 of 2025

1.Kathamathan @ Moorthy

2.Bose

... Petitioners

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
Ilansamboor Police Station,
Ramanathapuram District.
(Crime No.140 of 2021)

... Respondent

Prayer in Crl.M.P(MD)No.20475 of 2025:

To suspend the sentence imposed upon the petitioners in C.C.No. 118 of 2022, dated 23.12.2022 on the file of learned Judicial Magistrate, Mudukulathur, Ramanathapuram District, partly confirmed by the Additional District and Sessions Court, Ramanathapuram, in C.A.No.02 of 2023, dated 10.12.2025, pending disposal of the above Criminal Revision Case.

Prayer for Crl.M.P(MD)No.20479 of 2025:

To exempt the petitioners from surrender pursuant to the conviction and sentence imposed upon the petitioner in C.C.No.118 of 2022, dated 23.12.2022 on the file of learned Judicial Magistrate,



Crl.MP(MD)Nos.20475 and 20479 of 2025

WEB COPY

3. Learned counsel for petitioners would submit that petitioners were convicted and sentenced by Judicial Magistrate, Mudukulathur, Ramanathapuram District in C.C.No.118 of 2022, dated 23.12.2022 for the following offences:

(i) for offence under Section 324 of IPC, 1st Petitioner has to undergo Rigorous Imprisonment for a period of 3 years and to pay a fine of Rs.2000/- in default of payment, to undergo Simple Imprisonment for a period of 3 months;

(ii) for offence under Section 326 of IPC, 2nd Petitioner has to undergo Rigorous Imprisonment for a period of 3 years and to pay a fine of Rs.2000/- in default of payment, to undergo Simple Imprisonment for a period of 3 months;

3.1. Aggrieved, petitioners filed Criminal Appeal No.02 of 2023 before Additional District and Sessions Court, Ramanathapuram and lower Appellate Court vide order dated 10.12.2025, modified the conviction and sentence passed by Trial Court, as follows:



Crl.MP(MD)Nos.20475 and 20479 of 2025

(i) for offence under Section 324 of IPC, 1st Petitioner has to undergo Rigorous Imprisonment for a period of 1 year and to pay a fine of Rs.2000/- in default of payment, to undergo Simple Imprisonment for a period of 3 months;

(ii) for offence under Section 326 of IPC, 2nd Petitioner has to undergo Rigorous Imprisonment for a period of 3 years and to pay a fine of Rs.2000/- in default of payment, to undergo Simple Imprisonment for a period of 3 months;

3.2. Aggrieved, petitioners filed present Criminal Revision Petition in Crl.RC(MD)No.1654 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence, 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; and that they also paid fine amount as per the order of trial Court. Hence, he prayed for granting suspension of sentence and bail to petitioners.



Crl.MP(MD)Nos.20475 and 20479 of 2025

WEB COPY

5. Learned Government Advocate 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, bail 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 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 Judicial Magistrate, Mudukulathur, Ramanathapuram District;

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



Crl.MP(MD)Nos.20475 and 20479 of 2025

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 Aruppukottai, 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, 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 their absence, as directed by the trial Court.

7. Accordingly, these Criminal Miscellaneous Petitions are **ordered.**

19.12.2025

Nsr

Note: Issue Order Copy on 06.01.2026.

6/8



Crl.MP(MD)Nos.20475 and 20479 of 2025

To:

WEB COPY

- 1.The Additional District and Sessions Court, Ramanathapuram.
- 2.The Judicial Magistrate, Mudukulathur, Ramanathapuram District.
- 3.The Inspector of Police,
Ilansemboor Police Station,
Ramanathapuram District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



WEB COPY



Crl.MP(MD)Nos.20475 and 20479 of 2025

MOHAMMED SHAFFIQ, J.

Nsr

Order made in
Crl.MP(MD)Nos.20475 and 20479 of 2025
in
Crl.RC.(MD)No.1654 of 2025

Dated: 19.12.2025