



Crl.MP(MD)No.20568 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)No.20568 of 2025

in

Crl.RC.(MD)No.1664 of 2025

Poovalingam

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Superintendent of Police,
Aruppukottai Town Police Station,
Aruppukottai,
Virudhunagar District.
(Crime No.43 of 2020)

... Respondent

Prayer : This Criminal Miscellaneous Petition filed under Section 438(1) of B.N.S.S. praying to suspend the conviction and sentence passed by the learned Additional District and Sessions Judge, Aruppukottai, passed in Crl.A.No.97 of 2024, dated 18.11.2025 in C.C.No.136 of 2020, dated 28.05.2024 on the file of learned Judicial Magistrate Court, Aruppukottai till the disposal of the main Criminal Revision Petition.



Crl.MP(MD)No.20568 of 2025

For Petitioner : Mr.K.Sangilimurugan
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.K.Sangilimurugan, learned Counsel for the Revision Petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, who accepts notice on behalf of the Respondent.

2. Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed on petitioner by Judicial Magistrate Court, Aruppukottai, in C.C.No.136 of 2020, dated 28.05.2024, which was confirmed by Additional District and Sessions Judge, Aruppukottai, in Crl.A.No.97 of 2024, dated 18.11.2025.

3. Learned counsel for petitioner would submit that petitioner was convicted and sentenced by Judicial Magistrate Court, Aruppukottai, in C.C.No.136 of 2020, dated 28.05.2024 for the following offences:

(i) to pay fine of Rs.1000/- in default of payment, to undergo Simple Imprisonment for a term of two months, for offence under



Crl.MP(MD)No.20568 of 2025

Section 279 of IPC.

WEB COPY

(ii) to pay fine of Rs.500/- each totaling Rs.3,500/- in default of payment, to undergo Simple Imprisonment for a term of two months, for offence under Section 337 (7 Counts) of IPC.

(iii) to pay fine of Rs.1000/- each totaling Rs.9,000/- in default of payment, to undergo Simple Imprisonment for a term of two months, for offence under Section 338 (9 Counts) of IPC.

(iv) to undergo Simple Imprisonment for two years each and to pay a fine of Rs.2,000/- each totaling Rs.8,000/-, in default of payment, to undergo Simple Imprisonment for a term of two months, for offence under Section 304-A(4 Counts) of IPC.

3.1. Aggrieved, petitioner filed Criminal Appeal No.97 of 2024, before Additional District and Sessions Judge, Aruppukottai and lower Appellate Court vide order dated 18.11.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.1664 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence and bail.

3/7



Crl.MP(MD)No.20568 of 2025

WEB COPY

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

5. Learned Additional Public Prosecutor appearing for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioner 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 bail, 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.20568 of 2025

WEB COPY

i) Petitioner is directed to be enlarged on bail on his 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 Judicial Magistrate Court, Aruppukottai;

ii) Petitioner 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) Petitioner shall appear and sign before Judicial Magistrate Court, Aruppukottai, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if petitioner is 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 his absence, as directed by the trial Court.



Crl.MP(MD)No.20568 of 2025

WEB COPY 7. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

19.12.2025

Nsr

Note: Issue Order Copy on 08.01.2026.

To:

- 1.The Additional District and Session Judge, Aruppukottai.
- 2.The Judicial Magistrate Court, Aruppukottai.
- 3.The Superintendent of Police,
Aruppukottai Town Police Station,
Aruppukottai,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



WEB COPY



Crl.MP(MD)No.20568 of 2025

MOHAMMED SHAFFIQ, J.

Nsr

Order made in
Crl.MP(MD)No.20568 of 2025
in
Crl.RC.(MD)No.1664 of 2025

Dated: 19.12.2025