



Crl.MP(MD)Nos.20567 and 20570 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2025

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.20567 and 20570 of 2025

in

Crl.RC.(MD)No.1665 of 2025

Kadar Moideen

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by,
The Inspector of Police,
M.Reddiyapatti Police Station,
Virudhunagar District.
(Crime No.154 of 2015)

... Respondent

Prayer in Crl.M.P(MD)No.20567 of 2025:

To suspend the sentence imposed upon the petitioner in C.C.No. 179 of 2016, dated 30.12.2022 on the file of learned Judicial Magistrate Aruppukottai, confirming the judgment in C.A.09 of 2023, dated 21.11.2025 on the file of learned Additional District and Session Judge, Aruppukottai, pending disposal of the above Criminal Revision Case.

Prayer for Crl.M.P(MD)No.20570 of 2025:

To exempt the petitioner from surrender pursuant to the conviction and sentence imposed upon the petitioner in C.C.No.179 of 2016, dated 30.12.2022 on the file of learned Judicial Magistrate Aruppukottai, confirming the judgment in C.A.09 of 2023, dated 21.11.2025 on the file of learned Additional District and Session Judge, Aruppukottai, pending disposal of the main criminal revision petition.



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For Petitioner : Mr.M.Gandhirajan
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

ORDER

Heard Mr.M.Gandhirajan, 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 Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate Aruppukottai in C.C.No.179 of 2016, dated 30.12.2022, which was confirmed by Additional District and Sessions Judge, Aruppukottai in C.A.09 of 2023, dated 21.11.2025 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted and sentenced by Judicial Magistrate Aruppukottai in C.C.No. 179 of 2016, dated 30.12.2022 for the following offences:



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(i) to pay a fine of Rs.1000/- in default of payment, to undergo Simple Imprisonment for a period of 1 month, for offence under Section 279 of IPC.

(ii) to pay a fine of Rs.500/- in default of payment, to undergo Simple Imprisonment for a period of 1 month, for offence under Section 337 of IPC.

(iii) to undergo Simple Imprisonment for a period of 1 year for offence under Section 304-A of IPC.

3.1. Aggrieved, petitioner filed Criminal Appeal No.09 of 2023 before Additional District and Sessions Judge, Aruppukottai and lower Appellate Court vide order dated 21.11.2025, dismissed the appeal confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.1665 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence, bail and exemption from surrender.

4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in above revision, which



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

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

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



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sureties each for a like sum to the satisfaction of Judicial Magistrate 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 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.



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

19.12.2025

Nsr

Note: Issue Order Copy on 06.01.2026.

To:

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



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MOHAMMED SHAFFIQ, J.

Nsr

Order made in
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in
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Dated: 19.12.2025