



WEB COPY



Crl.M.P.No.7810 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.04.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.7810 of 2026

in

Crl.A.No.562 of 2026

1. Muthaiyan

2. Murugesan

...Petitioners

Vs.

State represented by,
The Inspector of Police,
All Women Police Station,
Jayankondam.
Crime No.13 of 2010.

...Respondent

Criminal miscellaneous petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, seeking to suspend the sentence passed in S.C.No.64 of 2018 dated 09.04.2026 by the learned Sessions Judge, Fast Track Mahila Court, Ariyalur.

For Petitioners : Mr.A.K.A.Rahmaan

For Respondent : Ms.J.R.Archana, GA(Crl. Side)

ORDER

This criminal miscellaneous petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned Sessions



Crl.M.P.No.7810 of 2026

Judge, Fast Track Mahila Court, Ariyalur, in S.C.No.64 of 2018, vide judgment dated 09.04.2026.

2. The conviction and sentence imposed against the petitioners/ appellants (A1 & A2), vide impugned judgment are as follows:-

<i>Petitioner/Accused</i>	<i>Under Section</i>	<i>Sentence</i>
1 st petitioner/A1	4 of the DP Act	two years simple imprisonment and a fine of Rs.10,000/-, in default, to undergo three months simple imprisonment.
	498A of IPC	three years simple imprisonment and a fine of Rs.10,000/-, in default, to undergo six months simple imprisonment.
2 nd petitioner/A2	498A of IPC	three years simple imprisonment and a fine of Rs.10,000/-, in default, to undergo six months simple imprisonment.
The sentences imposed on A1 were ordered to run consecutively.		

3. Learned counsel for the petitioners/appellants made the following submissions:

3.1 The petitioners are innocent and they have been falsely implicated in this case as A1 & A2 and the 2nd petitioner/A2 is a



Crl.M.P.No.7810 of 2026

septuagenarian and is suffering from serious heart ailment and is taking continuous treatment.

3.2 There are arguable points available in the criminal appeal, which is unlikely to be taken up for final hearing in the near future and the petitioners/appellants have a fair chance of succeeding in the appeal. The trial Court has suspended their sentence till 09.05.2026. Hence, the sentences imposed on the petitioners may be suspended.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent opposed the grant of suspension of sentence stating that the trial Court, after taking into consideration the oral and documentary evidence adduced by the prosecution, rightly found the petitioners/appellants guilty and convicted and sentenced them, as stated above, which cannot be said to be erroneous.

5. Heard both sides and perused the materials on record.

6. Considering the facts and circumstances of the case and also the submissions made by the learned counsel on either side, this Court is inclined to suspend the sentence of imprisonment imposed on the petitioners. Accordingly, till the disposal of the appeal, the relief of



Crl.M.P.No.7810 of 2026

suspension of sentence is granted to the petitioners/appellants, subject to the following conditions:-

(i) The petitioners/appellants shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only) each, with two sureties, each for a like sum, to the satisfaction of the Sessions Judge, Fast Track Mahila Court, Ariyalur;

(ii) The petitioners/appellants shall appear before the trial Court on the first working day of every English calendar month at 10.30 a.m., until further orders.

7. Accordingly, this criminal miscellaneous petition stands ordered.

28.04.2026
(2/2)

skt

To:

1. The Sessions Judge, Fast Track Mahila Court, Ariyalur.
2. The Inspector of Police, All Women Police Station, Jayankondam.
3. The Public Prosecutor, High Court of Madras.



WEB COPY



Crl.M.P.No.7810 of 2026

A.D.JAGADISH CHANDIRA, J.

skt

Crl.M.P.No.7810 of 2026
in
Crl.A.No.562 of 2026
(2/2)

28.04.2026