



WEB COPY

CRL MP No. 8597 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 14-05-2026

CORAM

THE HON'BLE MR.JUSTICE P. DHANABAL

CRL MP No. 8597 of 2026

IN

CRL RC NO. 1080 OF 2026

Sinagaravel S/o.Senkamalai,
Residing at Mariamman Koil Street,
Nallur, Veppur Taluk,
Cuddalore District.

..Petitioner(s)

Vs

The State represented by:

The Sub Inspector of Police,
Veppur Police Station,
Cuddalore District.
Cr.No.351/2021.

..Respondent(s)

PRAYER: This Criminal Miscellaneous Petition has been filed under Section 430(1) of B.N.S.S. to suspend the sentence imposed in Criminal Appeal No.27 of 2025 by the learned III Additional District and Sessions Judge at Viruthachalam, Cuddalore by judgment dated 30.03.2026 confirming the sentence imposed in CC.No.227 of 2021 on the file of learned Judicial Magistrate I, Viruthachalam dated 11.03.2025 pending disposal of the above revision petition.

For Petitioner(s):

Mr. A.Velmurugan

For Respondent(s):

Mr. A. Damodaran,
Additional Public Prosecutor.



ORDER

This petition has been filed by the petitioner to suspend the sentence imposed against this petitioner by the Judicial Magistrate I, Viruthachalam vide judgment dated 11.03.2025 in CC.No.227 of 2021 confirmed by the III Additional District and Sessions Judge at Viruthachalam, Cuddalore by judgment dated 30.03.2026 in Criminal Appeal No.27 of 2025.

2. The learned counsel appearing for the petitioner would contend that this petitioner was charged for the offences under Sections 294(b), 326 and 506(ii) of IPC and he was acquitted from the charges for the offences under Section 294(b) and 506(ii) of IPC and he was convicted by the learned Judicial Magistrate I, Viruthachalam for the offences under Section 325 of IPC and sentenced to undergo 1 year simple imprisonment and to pay a fine of Rs.1000/- in default to undergo further simple imprisonment for a period of one month. The petitioner was granted anticipatory bail. The trial Court failed to consider the material points and there are no any materials available to prove the charge levelled against the petitioner under Section 325 of IPC. However, the trial Court convicted the petitioner and sentenced imprisonment and hence prayed to suspend the sentence pending disposal of the main criminal revision petition.



3. The learned Government Advocate (Criminal side) appearing for the respondent would contend that based on the evidences only, the trial Court has convicted the accused and there are materials available to convict the accused and the prosecution has proved the charges beyond reasonable doubts and hence objected to suspend the sentence imposed by the trial Court.

4. Heard both sides and perused the materials available on record.

5. The petitioner has been charged for the offences under Sections 294(b), 326 and 506(ii) of IPC in CC.No.227 of 2021 on the file of the learned Judicial Magistrate I, Viruthachalam and he has been acquitted from the charges for the offences under Sections 294(b) and 506(ii) of IPC and convicted for the offence under Section 325 of IPC. In fact, the petitioner has been charged under Section 326 of IPC for the offence of 'voluntarily causing grievous hurt using iron rod'. Though the prosecution has proved that PW1 was assaulted by the petitioner/A1 and sustained grievous injuries, in order to prove the charge under Section 326 of IPC, there was no property produced on the side of prosecution and hence the trial Court decided to convict the accused under Section 325 of IPC and accordingly, the petitioner was convicted for the offence under Section 325 of IPC and was sentenced to undergo 1 year simple imprisonment and to pay a fine of Rs.1000/- in default to undergo 1 month simple imprisonment.



6. It is an admitted fact that aggrieved by the said conviction and sentence, the petitioner has filed an appeal before the appellate Court and the learned III Additional District and Sessions Judge at Viruthachalam, Cuddalore has confirmed the said conviction and punishment imposed by the trial Court vide a Judgment passed in Criminal Appeal No.27 of 2025 dated 01-04-2026. Considering the nature of offences, the punishment imposed by the Trial Court and there are arguable points in this case, this Court is inclined to suspend the sentence imposed by the trial Court.

7. Accordingly, this Criminal Miscellaneous Petition is ***allowed*** and the imprisonment ordered by the trial Court through the impugned judgment dated 11-03-2025 is suspended subject to the following conditions:

[a] Accordingly, the petitioner is ordered to be released on bail on condition to execute 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 I, Viruthachalam*** and on further condition that:



[b] the petitioner shall report before the learned Judicial Magistrate

No.I, Viruthachalam in the first working day of every English Calendar month at 10.30 a.m. until further orders.

14-05-2026

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

MJS

Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The III Additional District and Sessions Judge at Viruthachalam, Cuddalore.
2. The Judicial Magistrate I, Viruthachalam.
3. The Sub Inspector of Police, Veppur Police Station, Cuddalore District.
4. The Public Prosecutor, High Court of Madras.



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P.DHANABAL, J.

MJS

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