



Crl.MP(MD)Nos.308 and 310 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.01.2026**

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.308 and 310 of 2026

in

Crl.RC.(MD)No.21 of 2026

Vijayaprasanth

... Petitioner

Vs.

The State of Tamilnadu,
Rep., by the Inspector of Police,
Thogamalai Police Station,
Karur District
(Crime No.4 of 2020)

... Respondent

PRAYER in Crl.M.P.(MD).No.308 of 2026 :-

To Suspend the Sentence passed by the learned District and Sessions Judge, Karur in C.A.No.75 of 2023 dated 03.09.2025, by confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate No.1, Kulithalai, in C.C.No.96 of 2020 dated 01.11.2022 pending disposal of the main criminal revision petition.



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PRAYER in Crl.M.P.(MD).No.310 of 2026 :-

To Exempt form surrendering before the trail court pertaining to the impugned judgment of conviction and sentence passed by the learned District and Sessions Judge, Karur in C.A.No.75 of 2023 dated 03.09.2025, by confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate No.1, Kulithalai, in C.C.No.96 of 2020 dated 01.11.2022 pending disposal of the main criminal revision petition.

For Petitioner	:	Mr.D.Venkatesh
For Respondent	:	Mr.A.Thiruvadi Kumar
		Additional Public Prosecutor

ORDER

Heard Mr.D.Venkatesh, learned counsel appearing for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor, who accepts notice on behalf of the respondent.

2. This Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate No.1, Kulithalai in C.C.No.96 of 2020 dated 01.11.2022, which was confirmed by the learned District and Sessions Judge, Karur in C.A.No.75 of 2023 dated 03.09.2025 and to exempt the petitioner from surrendering before the Court below.



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3. Learned counsel for the petitioner would submit that the petitioner was convicted by the learned Judicial Magistrate No.1, Kulithalai for the offences punishable under Sections 279, 338 and 304(A) of IPC in C.C No.96 of 2020, dated 01.11.2022, and (i) to undergo 15 days simple imprisonment, for offence under Section 279 IPC; (ii) to undergo 30 days simple imprisonment, for the offence under Section 338 IPC; (iii) to undergo one year simple imprisonment and to pay a fine of Rs.5000/-, in default and to undergo two weeks simple imprisonment, for the offence under Section 304(A) IPC. Aggrieved petitioner filed Criminal Appeal No.75 of 2023, before the learned District and Sessions Judge, Karur and the lower Appellate Court vide order dated 03.09.2025, dismissed the appeal confirming the judgment passed by the learned Judicial Magistrate No.1, Kulithalai. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.21 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



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4. Learned Counsel for petitioner would submit that both the Courts below failed to consider the evidence of P.W.4 in a correct way; and that the 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 the respondent has opposed the submissions made by the learned counsel for the petitioner and submits that the judgments passed by both the Courts are as per law after considering the entire evidence, thus the relief sought by the 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

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



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exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the 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 sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Kulithalai;

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 No. 1, Kulithalai, on the first working day of every month at 10.30 a.m., until the disposal of revision;



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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.

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

08.01.2026
(1/2)

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To:
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1. The Judicial Magistrate No.1, Kulithalai
2. The District and Sessions Judge, Karur
3. The Inspector of Police,
Thogamalai Police Station,
Karur District
(Crime No.4 of 2020) .
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

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in
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Dated: 08.01.2026
(1/2)