



Crl.M.P.(MD) No.463 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 12.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

**CRL.MP(MD) No. 463 of 2026
in
Crl.A(MD)No.1031 of 2025**

Kayambu

..... Petitioner

Vs.

State rep. by
The Inspector of Police
Devakottai Taluk Police Station
Sivagangai District
(Crime No.326 of 2010)

..... Respondent

Prayer : Petition filed under Section 430(1) of BNSS to suspend the sentence imposed by the learned Sessions Judge, Magalir Fast Track Court, Sivagangai in S.C.No.40 of 2011 vide his judgment dated 28.08.2025 pending disposal of the main criminal appeal.

For Petitioner : Mr.R.Gandhi,Senior Counsel
for Mr.A.Balaji

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor



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ORDER

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[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

Seeking to suspend the sentence imposed on the petitioner by the learned Sessions Judge, Magalir Fast Track Court, Sivagangai , *vide* Judgment dated 28.08.2025 in S.C.No.40 of 2011, the present Criminal Miscellaneous Petition has been filed.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
396 of IPC	Life Imprisonment	Rs.1,000/- i/d to undergo three month simple imprisonment
302 r/w.149 of IPC	Life Imprisonment	Rs.1,000/- i/d to undergo three month simple imprisonment

3. Heard the learned counsel on either side and perused the materials available on record.

4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2025 and the likelihood of the appeal being taken up for final hearing in



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the near future is also not possible, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

5.. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Devakottai

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.

iii. The petitioner shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calendar month, till the disposal of the Criminal Appeal.

[G.K.I., J.] & [R.P., J.]
12.01.2026

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Copy to

1. The Sessions Court, Magalir Fast Track Court, Sivagangai
2. The Superintendent
Central Prison, Madurai
3. The Inspector of Police
Devakottai Taluk Police Station
Sivagangai District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN, J.
AND
R.POORNIMA, J.

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