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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.02.2026

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

CrI. M.P.(MD)Nos.2356 and 2357 of 2026

in

CrI. RC.(MD)No.201 of 2026

Siva @ Sivaguru

... Petitioner

Vs.

The State of Tamil Nadu,
Represented by its
The Inspector of Police,
All Women Police Station,
Thirupparankundram,
in Crime No.1 of 2014

... Respondent

PRAYER in CrI.M.P.(MD).No.2356 of 2026 :-

To suspend the sentence imposed as against the petitioner/ appellant / Accused No.1 passed in C.C.No.106 of 2015 on the file of the learned Additional Mahila Court (J.M.Level), Madurai dated 30.06.2023 confirming the said judgment passed by the learned IV Additional District and Sessions Judge, Madurai in C.A.No.66 of 2023 by a judgment dated 08.08.2025, pending disposal of the above Criminal Revision Petition.

PRAYER in CrI.M.P.(MD).No.2357 of 2026 :-

To grant exemption from surrender to the petitioner/ Appellant/ Accused No.1 passed in C.C.No.106 of 2015 on the file of the learned Additional Mahila Court (J.M. Level), Madurai dated 30.06.2023 confirming the said judgment passed by the learned IV Additional District and Sessions Judge, Madurai in C.A.No.66 of 2023 by a judgment dated 08.08.2025, pending disposal of the above Criminal Revision Petition.



For Petitioner : Mr.Jegadeesh Pandian

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

COMMON ORDER

Heard Mr.Jegadeesh Pandian, learned counsel appearing for 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 the petitioner by the Additional Mahila Court (J.M.Level), Madurai in C.C.No.106 of 2015 dated 30.06.2023, which was confirmed by the IV Additional District and Sessions Judge, Madurai in C.A.No.66 of 2023 dated 08.08.2025 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for the petitioner would submit that the petitioner was convicted by Additional Mahila Court (J.M.Level), Madurai, for offences punishable under Section 498-A of IPC and Section 4 of Dowry Prohibition Act in C.C.No.106 of 2015 dated 30.06.2023 as follows:-

(i) to undergo six months simple imprisonment and to pay a fine of Rs. 5000/-, in default to undergo one month simple imprisonment for offence under Section 498-A of IPC;



(ii) to undergo six months simple imprisonment and to pay a fine of Rs.5,000/-, in default to undergo one month simple imprisonment for offence under Section 4 of Dowry Prohibition Act.

4. Aggrieved, petitioner filed Criminal Appeal No.66 of 2023 before the IV Additional District and Sessions Judge, Madurai and the lower Appellate Court vide order dated 08.08.2025, dismissed the appeal confirming the judgment passed by the Additional Mahila Court (J.M.Level), Madurai. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in CrI.RC(MD)No.201 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

5. Learned counsel for petitioner further submits that 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.

6. 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.



7. 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 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 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 Additional Mahila Court (J.M.Level), Madurai;

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 the Additional Mahila Court (J.M.Level), Madurai, on the first working day of every English calendar month at 10.30 a.m., until further orders;

iv) In case, 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.

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



8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

04.02.2026
(1/2)

mka/Lm

To:

- 1.The Additional Mahila Court (J.M.Level),
Madurai.
- 2.The IV Additional District and Sessions Judge,
Madurai.
- 3.The Inspector of Police,
All Women Police Station,
Thirupparankundram,
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

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Crl. M.P.(MD)Nos.2356 and 2357 of 2026
in
Crl. RC.(MD)No.201 of 2026

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