



Crl.M.P.(MD) No.806 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 19.01.2026

CORAM

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

**CRL.MP(MD) No. 806 of 2026
in
Crl.A(MD)No.563 of 2025**

Subbaiah

..... Petitioner

Vs.

The Revenue Divisional Officer
Thoothukudi,
Thoothukudi District

..... Respondent

Prayer : Petition filed under Section 430(2) of BNSS to suspend the sentence and conviction imposed on the petitioner by the learned I Additional District and Sessions Judge, Thoothukudi in S.C.No.223 of 2006 by the judgment dated 05.04.2025 and enlarge the petitioner on bail pending disposal of the above appeal.

For Petitioner : Mr.V.Kathirvelu, Senior Counsel
for Mr.N.Pragalathan

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



WEB COPY



CrL.M.P.(MD) No.806 of 2026

ORDER

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

Seeking to suspend the sentence imposed on the petitioner by the learned I Additional District and Sessions Judge, Thoothukudi, *vide* Judgment dated 05.04.2025 in S.C.No.223 of 2006 ,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
302 of IPC	Life Imprisonment	Rs.10,000/- i/d to undergo three months rigorous imprisonment

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

4. Though this Court dismissed the application filed by the petitioner for suspension of sentence by an order dated 21.07.2026, which was challenged in so far as A11 is concerned before the Hon'ble Supreme



CrL.M.P.(MD) No.806 of 2026

Court in SLP(CrL.)NO.15596 of 2025 and the Hon'ble Apex Court by an order dated 27.11.2025 suspended the sentence. In view of the change in circumstances of the case, this Court is inclined to suspend the sentence imposed on 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 I Additional District and Sessions Judge, Thoothukudi.

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.



CrI.M.P.(MD) No.806 of 2026

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

[G.K.I., J.] & [R.P., J.]
02.12.2025

NCC : Yes / No
Index : Yes / No
aav

Copy to

1. The I Additional District and Sessions Judge, Thoothukudi
2. The Superintendent
Central Prison, Palayamkottai
3. The Revenue Divisional Officer
Thoothukudi,
Thoothukudi District
4. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



CrL.M.P.(MD) No.806 of 2026

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

aav

CRL.MP(MD) No. 806 of 2026
in
CrL.A(MD)No.563 of 2025

19.01.2026