



CrL.M.P.(MD) No.1368 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 25.02.2026

CORAM

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

CRL.MP(MD) No. 1368 of 2026

in

Crl.A(MD)No.105 of 2026

Manikandan

..... Petitioner

Vs.

State rep. by
The Inspector of Police
Aralvaimozhi Police Station,
Nagercoil
Kanyakumari District
(Crime No.155 of 2015)

..... Respondent

Prayer : Petition filed under Section 430(1) of BNSS to suspend the sentence imposed by the judgment dated 14.07.2023 made in S.C.No.278 of 2017 on the file of the Additional District and Sessions Court, Fast Track Court, Kanniyakumari, Nagercoil pending disposal of the above Criminal Appeal

For Petitioner : Mr.R.Gandhi, Senior Counsel
for M/s.Ajmal Associates



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For Respondent : Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

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

Seeking to suspend the sentence imposed on the petitioner by the Additional District and Sessions Court, Fast Track Court, Kanniyakumari, *vide* Judgment dated 14.07.2023 in S.C.No.287 of 2017 ,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.5,000/- i/d to undergo one year rigorous imprisonment
148 of IPC	One year rigorous imprisonment	-
341 of IPC	One month rigorous imprisonment	-
307r/w.149 of IPC	Five years rigorous imprisonment	Rs.3,000/- i/d to undergo one year rigorous imprisonment

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



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4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2026 and the likelihood of the appeal being taken up for final hearing in 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 District Munsif cum Judicial Magistrate, Boothapandi

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.



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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.]
25.02.2026

NCC : Yes / No

Index : Yes / No

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Copy to

1. The District Munsif cum Judicial Magistrate, Boothapandi
2. The Additional District and Sessions Court, Fast Track Court, Kanniyakumari
3. *The Superintendent*
Central Prison, Palayamkottai
4. The Inspector of Police
Aralvaimozhi Police Station,
Nagercoil
Kanyakumari District
5. 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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in
CrL.A(MD)No.105 of 2026

25.02.2026