



WEB COPY



Crl.MP(MD)Nos.983 and 984 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.01.2026

CORAM

THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.983 and 984 of 2026

in

Crl.RC.(MD)No.69 of 2026

T.M.Suresh

... Petitioner

Vs.

K.R.Mathivathani

... Respondent

PRAYER in Crl.M.P.(MD).No.983 of 2025 :-

To suspend the sentence passed in Crl.A.No.96/2022 on the file of the Principal District and Sessions Judge, Tiruchirappalli dated 26.11.2025 confirmed the conviction by the Learned Judicial Magistrate Court, Additional Mahila Court, Tiruchirappalli in S.T.C.No.4101 of 2021 dated 28.04.2022.

PRAYER in Crl.M.P.(MD).No.984 of 2025 :-

To pass an order of Exemption to surrender in Crl.A.No.96/2022 on the file of the Principal District and Sessions Judge, Tiruchirappalli dated 26.11.2025 confirmed the conviction by the Learned Judicial Magistrate Court, Additional Mahila Court, Tiruchirappalli in S.T.C.No.4101 of 2021 dated 28.04.2022.



WEB COPY



Crl.MP(MD)Nos.983 and 984 of 2026

For Petitioner : Mr.R.Rajaraman

ORDER

Heard Mr.R.Rajaraman, learned Counsel for petitioner.

2. These Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed upon petitioner by learned Judicial Magistrate Court, Additional Mahila Court, Tiruchirappalli in S.T.C.No. 4101 of 2021 dated 28.04.2022. which was confirmed by the learned Principal District and Sessions Judge, Tiruchirappalli in Crl.A.No.96 of 2022 dated 26.11.2025 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by learned Judicial Magistrate Court, Additional Mahila Court, Tiruchirappalli for the offences punishable under Sections 31 and 32 of the Protection of Women from Domestic Violence Act, 2005 and sentenced to undergo six months simple imprisonment and to pay a fine of Rs.20,000/- to the respondent, in default to undergo one month



Crl.MP(MD)Nos.983 and 984 of 2026

simple imprisonment. Aggrieved, petitioner filed Criminal Appeal No.96 of 2022, before Principal District and Sessions Judge, Thiruchirappalli and lower Appellate Court vide order dated 26.11.2025, dismissed the appeal confirming the judgment passed by Trial Court. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.69 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

4. Learned counsel for petitioner would further submit that petitioner has a good case *inter alia* stating that the Courts below failed to consider D.V.C.No.100 of 2016, posted for cross-examination of petitioner/wife by respondent on 31.07.2019 and thereafter, posted for further cross examination. However, the Trial Court proceeded to pass an order, without affording an opportunity for cross-examination nor filing proof affidavit or marking documents. Further it was thus submitted that the entire proceedings stands vitiated for having been passed in violation of principles of natural justice.



Crl.MP(MD)Nos.983 and 984 of 2026

WEB COPY

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. 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 heard, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision: :

i) The 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 Court, Additional Mahila Court, Tiruchirappalli;



Crl.MP(MD)Nos.983 and 984 of 2026

ii) The 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) The petitioner shall appear and sign before the learned Judicial Magistrate Court, Additional Mahila Court, Tiruchirappalli on first working day of every week at 10.30 a.m., until the disposal of the revision;

iv) In case, if the 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.

20.01.2026
(1/2)

rgm



WEB COPY



Crl.MP(MD)Nos.983 and 984 of 2026

MOHAMMED SHAFFIQ, J.

rgm

To:

1. The Judicial Magistrate Court, Additional Mahila Court,
Tiruchirappalli
2. The Principal District and Sessions Judge, Thiruchirappalli
3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.

Crl.MP(MD)Nos.983 and 984 of 2026

in

Crl.RC.(MD)No.69 of 2026

Dated: 20.01.2026

(1/2)