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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.01.2026

CORAM:

THE HONOURABLE MRS.JUSTICE N.MALA

Crl.M.P(MD)NO.1401 of 2026

in

Crl.RC(MD)No.109 of 2026

K.V.Shanmugam

: Petitioner/Petitioner

.VS.

P.Muthusamy

:Respondent/Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 528 of BNSS praying this Court to exempt the Petitioner from surrendering before the trial Court in pursuance of the judgment dated 6.10.2025, passed by the learned District and Sessions Judge, Karur, Karur District in Crl.Appeal No.123 of 2024 confirming the judgment passed by the learned Judicial Magistrate(Fast Track Court at Magisterial level), Karur, Karur District in S.T.C.No.340 of 2019, dated 3.6.2024, pending disposal of the main Criminal Revision.

For Petitioner

:Mr.L.George Paul Anto

O R D E R

` Notice to the respondent returnable by 17.02.2026. Private notice is also permitted.



2.The Petitioner preferred the present Criminal revision against the judgment dated 6.10.2025, passed by the learned District and Sessions Judge, Karur, Karur District in Crl.Appeal No. 123 of 2024, dated 6.10.2025, confirming the judgment passed by the learned Judicial Magistrate (Fast Track Court at Magisterial level), Karur, Karur District, in S.T.C.No.340 of 2019, dated 3.6.2024, sentencing the Petitioner to undergo six months simple imprisonment for the offence under section 255(2) of Cr.P.C and to pay compensation of Rs.3,60,000/-under section 357(3) Cr.P.C to the complainant, in default, to undergo one month simple imprisonment.

3.The petitioner, in the affidavit filed in support of the petition states that he is a businessman and that he is the sole breadwinner of hsi family. The petitioner further states that if he is not exempted from surrendering before the Trial Court, his family would be put to much hardship and untold sufferings. Hence, the petitioner has filed the present petition for the aforesaid relief.

4.Considering the above facts, the petition is **ordered** and the Petitioner is exempted from surrendering in connection with the aforesaid judgment, on the following conditions:

(i)the petitioner is directed to deposit 25% of the compensation /cheque amount of Rs.3,60,000/- to the credit of S.T.C.No.340 of 2019, on the file of learned Judicial Magistrate(Fast



Track Court at Magisterial level), Karur, Karur District within a period of eight weeks from the date of receipt of a copy of this order.

(ii) on such deposit, thereafter the petitioner is directed to execute a bond for a sum of Rs.5,000/- (Rupees Five Thousand only) with two sureties each for a like-sum to the satisfaction of the trial Court/learned ; Judicial Magistrate(Fast Track Court at Magisterial level), Karur, Karur District;

(iii) The petitioner shall appear before the trial Court once in a month i.e., on the first working day of every English calendar month at 10.30 a.m., till the disposal of the revision.

(iv) the above said exercise shall be completed within a period of eight weeks as aforesaid.

23.01.2026

NSC :Yes/No
Index:Yes/No
Internet:Yes/No

vsn/AP
To

- 1.The District and Sessions Judge,
Karur, Karur District..
- 2.The Judicial Magistrate(Fast Track Court
at Magisterial level)
Karur, Karur District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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N.MALA, J.

vsn / AP

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