



CRL MP(MD). Nos.1575 & 1579 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

Dated : **27/01/2026**

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD).Nos.1575 & 1579 of 2026

in

CRL RC(MD)No.119 of 2026

Selvarajan

... Petitioner

Vs

State of Tamilnadu Rep By
The Sub-Inspector of Police, CCB
Madurai.
Madurai District.
Crime No.35 of 1999.

... Respondent

PRAYER in CrI.M.P.(MD).No.1575 of 2026 :-

To Suspend the sentence imposed on the petitioner by the Judgment dated 12.09.2025 passed in C.A.No.87 of 2020 on the file of VI-Additional District and Sessions Court, Madurai, confirming the Judgment dated 30.11.2020 passed in C.C.No.579 of 2002 on the file of the Judicial Magistrate Court No.1, Madurai, Madurai District and enlarge the petitioner on bail pending disposal of the above criminal revision petition.



CRL MP(MD). Nos.1575 & 1579 of 2026

PRAYER in CrI.M.P.(MD).No.1579 of 2026 :-

To exempt the petitioner to surrender before the Lower Appellate Court in Judgment dated 12.09.2025 passed in C.A.No.87 of 2020 on the file of the VI Additional District and Sessions Court, Madurai, confirming the Judgment dated 30.11.2020 passed in C.C.No.579 of 2002 on the file of the Judicial Magistrate Court No.1, Madurai, Madurai District and enlarge the petitioner on bail pending disposal of the above criminal revision case.

For Petitioner : Mr.N.Pragalathan

For Respondent : Mr.M.Karunanithi
Government Advocate (Crl.Side)

ORDER

Heard Mr.N.Pragalathan, learned Counsel for petitioner and Mr.M.Karunanithi, learned Government Advocate (Crl.Side), who accepts notice on behalf of Respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed on petitioner by Judicial Magistrate, No.I, Madurai, in C.C.No.579 of 2002 vide order dated 30.11.2020, which was confirmed by VI Additional District and Sessions Court, Madurai in



CRL MP(MD). Nos.1575 & 1579 of 2026

CrI.A.No.87 of 2020, vide order dated 12.09.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, No.I, Madurai for offences punishable under Sections 120(b), 419, 468 & 471 of IPC in C.C.No.579 of 2002 dated 30.11.2020 and sentenced as follows:

(i) to undergo two years simple imprisonment and to pay a fine of Rs.1000/-, in default, to undergo one week simple imprisonment for offence under section 120(b) of IPC.

(ii) to undergo two years simple imprisonment for offence under section 419 of IPC.

(iii) to undergo two years simple imprisonment and to pay a fine of Rs.1000/-, in default to undergo one week simple imprisonment for offence under section 468 of IPC.

(iv) to undergo two years simple imprisonment for offence under section 471 of IPC.



CRL MP(MD), Nos.1575 & 1579 of 2026

4. Aggrieved, petitioner filed Criminal Appeal No.87 of 2020, before VI Additional District and Sessions Court, Madurai and the lower Appellate Court vide order dated 12.09.2025, dismissed the appeal and confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.119 of 2026 before this Court along with instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

5. Learned Counsel for petitioner would submit that petitioner has a good case *inter alia* stating that petitioner was convicted based on conjecture and surmise; that prosecution case is based on circumstantial evidence and inference drawn from the confession of first accused; that there was no direct evidence to establish the participation of petitioner/Accused No.2; that statement of 1st accused recorded while in police custody is inadmissible under Section 26 of Indian Evidence Act, 1872.

5.1. Learned counsel would further submit that Petitioner has raised other substantial grounds in the above revision, which requires



CRL MP(MD), Nos.1575 & 1579 of 2026

consideration; and that he also paid fine amount as per the order of trial Court. Hence, he prayed for granting suspension of sentence, bail and exempt the petitioner from surrendering before the trial court.

6. Learned Government Advocate appearing for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by 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 also 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 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

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



CRL MP(MD), Nos.1575 & 1579 of 2026

sureties each for a like sum to the satisfaction of the Judicial Magistrate No.I, Madurai;

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 Judicial Magistrate No.I, Madurai, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, 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.



CRL MP(MD), Nos.1575 & 1579 of 2026

8. Accordingly, these Criminal Miscellaneous Petitions are
ordered.

27.01.2026
(1/2)

gvn



WEB COPY



CRL MP(MD). Nos.1575 & 1579 of 2026

MOHAMMED SHAFFIQ, J

gvn

To

1. The Judicial Magistrate No.1, Madurai.
2. The VI Additional District & Sessions Court,
Madurai.
3. The Sub-Inspector of Police,
CCB Madurai,
Madurai District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER
IN
CRL MP(MD). Nos.1575 & 1579 of 2026
in
CRL RC(MD)No.119 of 2026

Date : 27/01/2026

(1/2)