



Crl.M.P.(MD)No.5064 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **24.03.2026**

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THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.5064 of 2026

in

CRL RC(MD) No.417 of 2026

Siva @ Sivaraman

... Petitioner /Appellant /A6

Vs.

The Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.
(Crime No.14/2025)

... Respondent /Respondent/Complainant

Prayer : This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to suspend the sentence judgment passed in Criminal Appeal No.20 of 2024 before the Principal District and Sessions Court, Ramanathapuram vide judgment dated 11.08.2025 confirming the judgment dated 27.02.2024 in S.C.No. 44 of 2018 passed by the learned Chief Judicial Magistrate, Ramanathapuram.

For Petitioner : Mr.Niranjan.S.Kumar

For Respondent : Mr.S.Ravi
Additional Public Prosecutor



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence judgment passed in Criminal Appeal No.20 of 2024 before the Principal District and Sessions Court, Ramanathapuram vide judgment dated 11.08.2025 confirming the judgment dated 27.02.2024 in S.C.No. 44 of 2018 passed by the learned Chief Judicial Magistrate, Ramanathapuram.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 27.02.2024, and the trial Court sentenced him to undergo rigorous imprisonment for a period of seven years, for the offence under Section 364 of IPC and to pay a fine of Rs.1000/-, in default, to undergo simple imprisonment for a period of two months, and to undergo rigorous imprisonment for a period of seven years, for the offence under Section 395 of IPC and to pay a fine of Rs.1000/-, in default, to undergo simple imprisonment for a period of two months concurrently on the file of the learned Chief Judicial Magistrate, Ramanathapuram.

3. The learned Principal District and Sessions Court, Ramanathapuram confirmed the conviction, and confirmed the sentence and dismissed the



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Criminal Appeal No. 20 of 2024 dated 11.08.2025. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. He also submitted that this Court passed an order directing the petitioner to surrender on 23.03.2026 vide order dated 10.03.2026. Pursuant to which, the petitioner was arrested on 12.03.2026. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the fact that the petitioner has good chance of succeeding in the revision petition, this Court is of the



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considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :

(i) The petitioner shall execute a bond for a sum of **Rs. 25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Ramanathapuram;

(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 Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned Chief Judicial Magistrate, Ramanathapuram, on all working days at 10.30 a.m., until further orders.

24.03.2026

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Note : Issue order copy on 25.03.2026.



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- To
- 1.The Principal District and Sessions Court,
Ramanathapuram.
 - 2.The Chief Judicial Magistrate,
Ramanathapuram.
 - 3.Do through the Chief Judicial Magistrate,
Ramanathapuram District.
 - 4.The Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.
 - 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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L.VICTORIA GOWRI, J.,

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