



Crl.MP(MD)Nos.2306 and 2309 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **03.02.2026**

CORAM

THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

Crl.MP(MD)Nos.2306 and 2309 of 2026

in

Crl.RC.(MD)No.200 of 2026

Selvam

... Petitioner in both

Vs.

State of Tamilnadu Rep By,
The Inspector of Police,
Kulithalai Police Station,
Karur.
Crime No.107 of 2018

... Respondent in both

PRAYER in Crl.M.P.(MD).No.2306 of 2026 :-

To enlarge the petitioner on bail by suspending the sentence dated 06.10.2025 passed in Crl.A.No.195 of 2023 on the file of Hon'ble District and Sessions Judge, Karur, confirming the judgment dated 22.09.2023 passed in C.C.No.96 of 2022 on the file of the learned Judicial Magistrate No.II, Kulithalai and pending disposal of the above criminal revision petition.



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PRAYER in Crl.M.P.(MD).No.2309 of 2026 :-

To exempt the petitioner from surrendering in pursuant to the sentence imposed in the judgment dated 06.10.2025 passed in Crl.A.No. 195 of 2023 on the file of Hon'ble District and Sessions Judge, Karur, confirming the judgment dated 22.09.2023 passed in C.C.No.96 of 2022 on the file of the learned Judicial Magistrate No.II, Kulithalai and pending disposal of the above criminal revision petition.

For Petitioner : Mr.B.Vetrivel

For Respondent : Mr.M.Vaikkam Karunanithi

ORDER

Heard Mr.B.Vetrivel, learned counsel appearing for petitioner.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.II, Kulithalai in C.C.No.96 of 2022 dated 22.09.2023, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.195 of 2023 dated 06.10.2025 and to exempt petitioner from surrendering before the Court below.



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3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.II, Kulithalai for the offences punishable under Sections 279, 338 and 304-A of IPC in C.C.No.96 of 2022 dated 22.09.2023 and sentenced as follows:-

- (i) to undergo one month simple imprisonment, for offence under Section 279 IPC;
- (ii) to undergo six months simple imprisonment, for offence under Section 338 IPC;
- (iii) to undergo one year simple imprisonment, for offence under Section 304(A) IPC.

4. Aggrieved, petitioner filed Criminal Appeal No.195 of 2023, before District and Sessions Judge, Karur and the lower Appellate Court vide order dated 06.10.2025, 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.200 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



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5. Learned counsel for petitioner would further submit that petitioner has a good case *inter alia* stating that no eye witnesses had identified petitioner at the spot of the occurrence.

6. Learned counsel for petitioner would further submit that petitioner has raised other substantial grounds in above revision, which requires consideration; Hence, he prayed for granting suspension of sentence, bail and exemption to petitioner.

7. Learned Government Advocate appearing for respondent has opposed the submissions made by learned counsel for petitioner and submits that the judgments passed by both the Courts are as per law after considering the entire evidence, thus the relief sought by the petitioner at this stage be refused by this Court.



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8. 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 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 the above Criminal Revision:

i) 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 Judicial Magistrate No.II, Kulithalai;

ii) 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) Petitioner shall appear and sign before the Judicial Magistrate No.II, Kulithalai, on the first working day of every English calendar month at 10.30 a.m., until further orders;

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



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iv) In case, petitioner is not able to appear before the said 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 said Court on any other day in lieu of the date of his absence, as directed by the said Court.

9. Accordingly, these Criminal Miscellaneous Petitions are ordered.

03.02.2026
(1/2)

rgm



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WEB COPY To:

1. The Judicial Magistrate No.II, Kulithalai
2. The District and Sessions Judge, Karur
3. The Inspector of Police,
Kulithalai Police Station,
Karur.
Crime No.107 of 2018
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

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in
Crl.RC.(MD)No.200 of 2026

Dated: 03.02.2026
(1/2)