



Crl.MP(MD)Nos.2669 and 2673 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 20.02.2026

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.2669 and 2673 of 2026

in

Crl.RC.(MD)No.218 of 2026

Vinothkumar

... Petitioner in both

Vs.

The State Of Tamilnadu,
Rep. by Sub Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
Crime No.831/2017

... Respondent in both

PRAYER in Crl.M.P.(MD).No.2669 of 2026 :-

To Suspend the Sentence of imprisonment imposed by the Learned Additional District and Sessions Judge, Srivilliputhur in Crl.A.No.39 of 2022 judgment dated 21.01.2026 confirming the conviction and sentence of imprisonment passed by Learned Judicial Magistrate No.I Court, Sivakasi in C.C.No.419 of 2017 dated 22.03.2022 and enlarge the petitioner on bail.



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PRAYER in Crl.M.P.(MD).No.2673 of 2026 :-

To Exempt petitioner from Surrender pursuant to Sentence of imprisonment imposed by the Learned Additional District and Sessions Judge, Srivilliputhur in Crl.A.No.39 of 2022 judgment dated 21.01.2026 confirming the conviction and sentence of imprisonment passed by Learned Judicial Magistrate No.I Court, Sivakasi in C.C.No.419 of 2017 dated 22.03.2022 and enlarge the petitioner on bail.

For Petitioner	:	Mr.J.Yogeswaran
For Respondent	:	Mr.P.Kottaichamy Government Advocate

ORDER

Heard Mr.J.Yogeswaran, learned counsel appearing for petitioner and Mr.P.Kottaichamy, learned Government Advocate, who accepts notice on behalf of respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed upon petitioner by learned Judicial Magistrate No.I Court, Sivakasi in C.C.No.419 of 2017 dated 22.03.2022, which was confirmed by Additional District and Sessions Judge, Srivilliputhur in Crl.A.No.39 of 2022 dated 21.01.2026 and to exempt petitioner from surrender.



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3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.I Court, Sivakasi for the offences punishable under Sections 457 and 380 of IPC in C.C.No.419 of 2017 dated 22.03.2022 and sentenced as follows:-

- (i) to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/-, in default to undergo two months simple imprisonment, for offence under Section 457 IPC;
- (ii) to undergo one year rigorous imprisonment and to pay a fine of Rs.1000/-, in default to undergo one month simple imprisonment, for offence under Section 380 IPC;
- (iii) and to undergo both sentences concurrently.

Aggrieved, petitioner filed Criminal Appeal No.39 of 2022, before learned Additional District and Sessions Judge, Srivilliputhur and lower Appellate Court vide order dated 21.01.2026, dismissed the appeal confirming the judgment passed by the Trial Court. Challenging the



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above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.218 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 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, bail and exempt petitioner from surrendering before Courts below.

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



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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 heard¹, this Court is inclined to grant suspension of sentence, bail and exempt petitioner from surrendering before lower 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 one regular surety and one blood surety each for a like sum to the satisfaction of Additional District and Sessions Judge, Srivilliputhur;

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 Additional District and Sessions Judge, Srivilliputhur, daily at 10.30 a.m., until further orders;

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

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



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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.

7. Accordingly, these Criminal Miscellaneous Petitions are ordered.

20.01.2026
(1/2)

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To:
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1. The Judicial Magistrate No.I Court, Sivakasi
2. The Additional District and Sessions Judge, Srivilliputhur
3. The Sub Inspector of Police,
Sivakasi Town Police Station,
Virudhunagar District.
Crime No.831/2017 .
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.218 of 2026

Dated: 20.02.2026
(1/2)