



Crl.M.P.(MD)No.3756 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.3756 of 2026

in

CRL RC(MD) No.309 of 2026

Murugesan

... Petitioner /Appellant /A2

Vs.

The Inspector of Police,
Vangal Police Station,
Karur District.
(Crime No.287/2017)

... 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 imposed against the petitioner in C.C.No.18 of 2018 dated 09.06.2023 on the file of the Learned Judicial Magistrate No.II, Karur and the same was confirmed in C.A.No. 111 of 2023 dated 02.01.2026 on the file of the Court of District and Sessions Judge, Karur and enlarge the petitioner on bail pending disposal of criminal revision petition.

For Petitioner : Mr.K.Sakthivel

For Respondent : Mr.S.S.Manoj
Government Advocate(Crl.Side)



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed against the petitioner in C.C.No.18 of 2018 dated 09.06.2023 on the file of the Learned Judicial Magistrate No.II, Karur and the same was confirmed in C.A.No. 111 of 2023 dated 02.01.2026 on the file of the Court of District and Sessions Judge, Karur and enlarge the petitioner on bail pending disposal of criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 09.06.2023, and the trial Court sentenced him to undergo rigorous imprisonment for a period of three years, for the offence under Section 394 of IPC and to pay a fine of Rs.2,000/-, in default, to undergo simple imprisonment for a period of six months on the file of the learned Judicial Magistrate No.II, Karur.

3. The learned District and Sessions Judge, Karur confirmed the conviction, and confirmed the sentence and dismissed the Criminal Appeal No. 111 of 2023 dated 02.01.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal



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Miscellaneous Petition seeking suspension of sentence.

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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 by 26.02.2026 vide order dated 18.02.2026. Pursuant to which, the petitioner had surrendered before the learned trial Court on 26.02.2026. 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 considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.



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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 Judicial Magistrate No.II, Karur;

(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 Judicial Magistrate No.II, Karur, on all working days at 10.30 a.m., until further orders.

24.03.2026

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Note : Issue order copy on 24.03.2026.

To

1.The District and Sessions Judge,
Karur.



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2.The Judicial Magistrate No.II,
Karur.

3.Do through the Chief Judicial Magistrate,
Karur District.

4.The Inspector of Police,
Vangal Police Station,
Karur 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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