



CRL MP(MD) NO. 3845 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19-02-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos.3845 and 3846 of 2026

IN

CRL RC(MD) NO. 317 OF 2026

1.Chinnadurai

2.Anandharaj

Petitioner(s)

Vs

The State of Tamil Nadu,
Rep. by Inspector of Police,
Watrap Police Station,
Virudhunagar District.
(Crime No.69 of 2018)

Respondent(s)

For Petitioner(s):

Mr.J.Yogeswaran

For Respondent(s):

Mr.P.Kottaichamy
Government Advocate

Prayer in Crl.M.P.(MD).No.3845 of 2026:

To suspend the sentence of Imprisonment imposed by the Additional District Judge, Srivilliputhur in Crl.A.No.30 of 2023 dated 15.12.2025 confirming the conviction and sentence imposed by the Additional Mahila Court, Srivilliputhur in C.C.No.16 of 2020 by judgment dated 22.02.2023 and enlarge the petitioner on bail, pending disposal of the Criminal Revision.

Prayer in CRL MP(MD).No.3846 of 2026 :

To exempt the petitioners from surrender in pursuant to the Judgment dated 15.12.2025 by the Additional District Judge, Srivilliputhur in Crl.A.No.30 of 2023



confirming the conviction and sentence imposed by the Additional Mahila Court, Srivilliputhur in C.C.No.16 of 2020 by judgment dated 22.02.2023.

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ORDER

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

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon the petitioners by the Judicial Magistrate, Additional Mahila Court, Srivilliputhur in C.C.No.16 of 2020 dated 22.02.2023, which was confirmed by Additional District Judge, Srivilliputhur in C.A.No.30 of 2023 dated 15.12.2025 and to exempt the petitioners from surrendering before the Court below.

3. Learned counsel for the petitioners would submit that petitioners were convicted by the Judicial Magistrate, Additional Mahila Court, Srivilliputhur for the offences punishable under Sections 294(b), 323, 324, 506(i) r/w 34 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act in C.C.No.16 of 2020 dated 22.02.2023 and sentenced as follows:-

- (i) to undergo one month simple imprisonment each for offence under Section 294(b) r/w 34 of IPC;



(ii) to undergo three months simple imprisonment each for offence under Section 323 r/w 34 of IPC;

(iii) to undergo six months simple imprisonment each for offence under Section 324 r/w 34 of IPC;

(iv) to undergo five months simple imprisonment each for offence under Section 506(i) r/w 34 of IPC;

(v) to undergo one year and six months simple imprisonment each for offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act; and

(vi) to pay a fine of Rs.10,000/-, in default to undergo two months simple imprisonment.

4. Aggrieved, petitioners filed Criminal Appeal No.30 of 2023 before the Additional District Court, Srivilliputhur and the lower Appellate Court vide order dated 15.12.2025, dismissed the appeal confirming the judgment passed by the Trial Court. Challenging the above conviction and sentence, petitioners have filed Criminal Revision Petition in CrI.RC(MD)No.317 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

5. Learned counsel for petitioners would submit that petitioners have a good case *inter alia* stating that there has been delay in filing complaint and registering



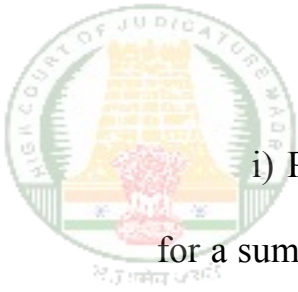
the FIR and that the Courts below failed to keep in view that P.W.1 to P.W.5 are interested witnesses. That apart, he would submit that insofar as offence under Section 294(b) of IPC is concerned, the ingredients of that offence are not satisfied, which was lost sight by the Courts below.

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

7. Learned Government Advocate appearing for the respondent has opposed the submissions made by the learned counsel for the petitioners 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 petitioners at this stage be refused by this Court.

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 petitioners from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

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



i) Petitioners are directed to be enlarged on bail on executing a bond each for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Additional District Judge, Srivilliputhur;

ii) Petitioners 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 passbook to ensure their identity;

iii) Petitioners shall appear and sign before the Additional District Judge, Srivilliputhur, on the first working day of every English calendar month at 10.30 a.m., until further orders;

iv) In case, petitioners are 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 their absence, as directed by the said Court.

9. Accordingly, these Criminal Miscellaneous Petitions are ordered.

19-02-2026

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To

1. The Additional Mahila Court,
Srivilliputhur.
2. The Additional District Court,
Srivilliputhur.
3. The Inspector of Police,
Watrap Police Station,
Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.

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