



CrL.M.P.(MD) No.4224 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 24.02.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN
AND
THE HONOURABLE MS.JUSTICE R. POORNIMA**

**CRL.MP(MD) No. 4224 of 2026
in
Crl.A(MD)No.644 of 2023**

Suji @ Kasi

..... Petitioner

Vs.

State rep. by
The Inspector of Police
CBCID, Nagercoil,
Kanniyakumari District
Crime No.8 of 2020

..... Respondent

Prayer : Petition filed under Section 430(1) of BNSS to suspend the execution of sentence by granting bail in S.C.No.41 of 2021 dated 14.06.2023 on the file of the Fast Track Mahila Court, Nagercoil till the disposal of the Criminal Appeal.

For Petitioner : Mr.M.Velmurugan
for Mr.K.Prabhu

For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]

Seeking to suspend the sentence imposed on the petitioner by the Fast Track Mahila Court, Nagercoil , *vide* Judgment dated 14.06.2023 in S.C.No.41 of 2021, the present Criminal Miscellaneous Petition has been filed.

2. The learned counsel appearing for the petitioner would submit that though this is the third application for suspension of sentence, the petitioner is languishing in jail for more than six years, therefore he is entitled for suspension of sentence. In support of his contention he relied on the order of the Hon'ble Apex Court in *SLP(Crl.) Diary No.163 of 2026* in the case of *Muna Bisoi .vs. State of Odisha* wherein the Hon'ble Apex Court relied upon the judgment of the Hon'ble Supreme Court of India in the case of *Kashmira Singh .vs. State of Punjab reported in 1997 4 SCC 291*, in which the Court has held that “can the Court ever compensate him for his incarceration which is found to unjustified ? Would it be just at all for the Court to tell a person : "We have admitted your appeal because we think you



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have a prima facie case, but unfortunately we have no time to hear your appeal for quite a few years and, therefore, until we hear your appeal, you must remain in jail, even though you may be innocent ?" What confidence would such administration of justice inspire in the mind of the public ? It may quite conceivably happen, and it has in fact happened in a few cases in this Court, that a person may serve out his full term of imprisonment before his appeal is taken up for hearing.

3. The above case is not applicable to the case on hand for the simple reason. This appeal is of the year 2023. The petitioner has committed very serious offence and as such his bail itself was dismissed during trial. Now this Court is taking the appeal of the year 2023 and the present appeal is likely to be listed for final hearing in the due course. That part the antecedents of the petitioner is also very bad. Further the petitioner is also facing trial in eight cases which are similar in nature.

4. In view of the same we are of the opinion that it is not a fit case for grant of suspension of sentence to the petitioner.



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5.. Accordingly this Criminal Miscellaneous Petition stands dismissed.

[G.K.I., J.] & [R.P., J.]
24.02.2026

NCC : Yes / No
Index : Yes / No
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Copy to

1. The Fast Track Mahila Court, Nagercoil
2. The Inspector of Police
CBCID, Nagercoil,
Kanniyakumari District
3. The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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