



Crl.MP(MD)Nos.4033 and 4034 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 23.02.2026

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.4033 and 4034 of 2026

in

Crl.RC.(MD)No.330 of 2026

Gopinath

... Petitioner in both

Vs.

State Of Tamilnadu Rep By,
The Sub Inspector of Police,
Pasupathipalayam Police Station,
Karur.

In Crime No.121 of 2019

... Respondent in both

PRAYER in Crl.M.P.(MD).No.4033 of 2026 :-

To suspend the sentence and release the petitioner on bail pending disposal of this Criminal Revision Petition before this Honble Court as against the Judgment in Criminal Appeal No.162/2023 by the Learned District and Sessions Judge, Karur dated 05.01.2026.



Crl.MP(MD)Nos.4033 and 4034 of 2026

PRAYER in Crl.M.P.(MD).No.4034 of 2026 :-

To grant exemption from surrender relating to the conviction and sentence imposed against the petitioner by the learned District and Sessions Court, Karur in Crl.A.No.162 of 2023 dated 05.01.2026

For Petitioner : Dr.R.Alagumani

For Respondent : Mr.P.Kottaichamy
Government Advocate

ORDER

Heard Dr.R.Alagumani, 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 Chief Judicial Magistrate, Karur in C.C.No.266 of 2022 dated 29.08.2023, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.162 of 2023 dated 05.01.2026 and to exempt petitioner from surrendering before the Court below.



Crl.MP(MD)Nos.4033 and 4034 of 2026

WEB COPY

3. Learned counsel for petitioner would submit that petitioner was convicted by Chief Judicial Magistrate, Karur for the offences punishable under Sections 279 304-A of IPC in C.C.No.266 of 2022 dated 29.08.2023 and sentenced as follows:-

- (i) to undergo three months simple imprisonment and to pay fine of Rs.1,000/-, in default to undergo two weeks simple imprisonment, for offence under Section 279 IPC;
- (ii) to undergo two years simple imprisonment and to pay fine of Rs. 5000/-, in default to undergo two months simple imprisonment.

Aggrieved, petitioner filed Criminal Appeal No.162 of 2023 before District and Sessions Judge, Karur and lower Appellate Court vide order dated 05.01.2026, dismissed the appeal confirming the judgment passed by the Trial Court. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.330 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



Crl.MP(MD)Nos.4033 and 4034 of 2026

WEB COPY

4. Learned counsel for petitioner further submits that petitioner has a good case *inter alia* stating that there are discrepancies and inconsistencies in the testimonies of PW2 and PW3 regarding the place of occurrence.

5. 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 and bail to petitioner.

6. 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 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.



Crl.MP(MD)Nos.4033 and 4034 of 2026

7. 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 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 learned District and Sessions Court, Karur;

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 learned District and Sessions Court, Karur, on the first working day of every English calendar month 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



Crl.MP(MD)Nos.4033 and 4034 of 2026

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.

8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

23.02.2026
(1/2)

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Crl.MP(MD)Nos.4033 and 4034 of 2026

To:
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1. The District and Sessions Judge, Karur
2. The Chief Judicial Magistrate, Karur
3. The Sub Inspector of Police,
Pasupathipalayam Police Station,
Karur.
In Crime No.121 of 2019 .
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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Crl.MP(MD)Nos.4033 and 4034 of 2026

MOHAMMED SHAFFIQ, J.

rgm

Crl.MP(MD)Nos.4033 and 4034 of 2026
in
Crl.RC.(MD)No.330 of 2026

Dated: 23.02.2026
(1/2)