



CRL MP(MD) No.4828 of 2026
in Crl.R.C.(MD)No.390 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 04.03.2026

**CORAM
THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI**

CRL MP(MD) No.4828 of 2026

in

CRL RC(MD) No.390 of 2026

1.M.Ramesh
2.Mangayarkarasi

Petitioners/Petitioners

Vs.

State of Tamilnadu rep. by its
The Inspector of Police,
CBCID Police Station,
Thanjavur.
(Crime No.20/2006)

... Respondent/Respondent

For Petitioner: Mr.B.Jameelarasu

For Respondent: Mr.S.Ravi
Additional Public Prosecutor

Prayer in CRL MP(MD).4828 of 2026 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to suspend the sentence imposed on the petitioner in Crl.A.No.1/2023 on the file of Learned I Additional District and Sessions Judge, Thanjavur dated 06.02.2026 confirming the Judgment and conviction imposed on the petitioner by the Learned Judicial Magistrate, Thiruvayyar in C.C.No.34 of 2011, dated 01.12.2022 pending disposal of the above criminal revision.



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner in Crl.A.No.1 of 2023 on the file of Learned I Additional District and Sessions Judge, Thanjavur dated 06.02.2026 confirming the Judgment and conviction imposed on the petitioner by the Learned Judicial Magistrate, Thiruvayyar in C.C.No.34 of 2011, dated 01.12.2022 pending disposal of the above criminal revision.

2. The learned counsel appearing for the petitioners submitted that the petitioners were convicted by the trial Court on 01.12.2022 in C.C.No.34 of 2011 on the file of the learned Judicial Magistrate, Thiruvayyar and sentenced to undergo rigorous imprisonment for a period of two years for the offence under Section 465 IPC and to pay each a fine of Rs.1000/-, in default, to undergo simple imprisonment for a period of one month, and to undergo rigorous imprisonment for a period of three years for the offence under Section 468 IPC and each to pay a fine of Rs.1000/-, in default, to undergo simple imprisonment for a period of one month, and to undergo rigorous imprisonment for a period of two years for the offence under Section 471 IPC and each to pay a fine of Rs.1000/-, in default, to undergo simple imprisonment for a period of one month.



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3. Challenging the above said conviction and sentence, the petitioners have preferred appeal in Crl.A.No.1 of 2023 on the file of the learned I Additional District and Sessions Judge, Thanjavur. The learned I Additional District and Sessions Judge, Thanjavur by confirming the conviction and sentence, dismissed the appeal. Aggrieved by the same, the petitioners have preferred the present Criminal Revision Case along with the above miscellaneous petition.

4. The learned Additional Public Prosecutor strongly objected for granting suspension of sentence, drawing my attention to the fact that the though the learned counsel for the petitioner insisted that suspension of sentence is automatic, the learned Additional Public Prosecutor strongly objected to the said submission by pointing out that this is not a criminal appeal, but the petitioner has come before this Court by way of revision challenging the concurrent findings of the trial Court as well as the findings of the appellate Court.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.



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6. The learned counsel for the petitioners pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. 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, this Court is passing the following order :

(a) This petition is ordered insofar the 2nd petitioner is concerned and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following conditions :

(i) The 2nd 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, Thiruvaiyyaru, Thanjavur District;

(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 2nd petitioner shall appear before the learned Judicial Magistrate, Thiruvaiyyaru, Thanjavur District, on all working days at 10.30 a.m., until further orders.

(b) It is made clear that the 1st petitioner is directed to surrender forthwith before



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the respondent police.

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7. Accordingly, this Miscellaneous Petition is partly allowed.

04.03.2026

gbg

To

- 1.The I Additional District and Sessions Judge,
Thanjavur.
- 2.The Judicial Magistrate,
Thiruvayyar.
- 3.Do through the Chief Judicial Magistrate,
Thanjavur District.
- 4.The Inspector of Police,
CBCID Police Station,
Thanjavur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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