



CRL MP(MD) No.5279 of 2026
in Crl.R.C.(MD)No.438 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06.03.2026

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

CRL MP(MD) No.5279 of 2026

in

CRL RC(MD) No.438 of 2026

Sakthikumar

... Petitioner/Petitioner

Vs

State of Tamilnadu rep. by its
The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
(Crime No.47/2018)

... Respondent/Respondent

For Petitioner: Mr.A.Balaji

For Respondent: Mr.M.Sakthikumar
Government Advocate (Criminal Side)

Prayer in CRL MP(MD).5279 of 2026 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to enlarge the petitioner on bail by suspending the sentence imposed upon the petitioner in C.C.No.180 of 2021 on the file of the learned District Munsif cum Judicial Magistrate, Tiruchuli, dated 13.06.2022 which was confirmed in C.A.No.20 of 2022 on the file of the learned Additional District and Sessions Court, Aruppukottai dated 10.12.2025 pending disposal of the criminal revision petition.



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in Crl.R.C.(MD)No.438 of 2026*

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed by the Learned Additional District and Sessions Judge, Aruppukottai made in Crl.A.No.20 of 2022 dated 10.12.2025 confirming the judgment made in C.C.No.180 of 2021 dated 13.06.2022 on the file of the Learned District Munsif cum Judicial Magistrate, Tiruchuli, pending disposal of the above revision case.

2. The case of the prosecution is that during a wordy quarrel between the petitioner and the de facto complainant's party regarding the irrigation of agricultural land, the petitioner is alleged to have attacked P.W.1 and P.W.2 with an aruval and caused injuries. Based upon the complaint given by the defacto complainant, FIR in Crime No.47 of 2018 was registered by the respondent police. After the completion of investigation, charge sheet has been filed in C.C.No.180 of 2021 on the file of the Learned District Munsif cum Judicial Magistrate, Tiruchuli.

3. During trial, the prosecution has examined 13 witnesses as P.W.1 to P.W.13 and exhibited 13 documents. That apart, M.O.1 and M.O.2 were marked. The accused has adduced neither oral nor documentary evidence.



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4.The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment dated 13.06.2022 convicting the petitioner/A1 for the offence under Section 324 (2 counts) of IPC and sentenced him to undergo 1 year simple imprisonment and to pay a fine of Rs.1000/-, in default, to undergo 1 month simple imprisonment for each count. Challenging the above said conviction and sentence, the petitioner/A1 has preferred appeal in CrI.A.No.20 of 2022 on the file of the Learned Additional District and Sessions Judge, Aruppukottai. The learned Additional District and Sessions Judge, Virudhunagar by confirming the conviction and sentence, dismissed the appeal. Aggrieved by the same, the petitioner has preferred the present Criminal Revision Case along with the above miscellaneous petition.

5. The learned counsel appearing for the petitioner would submit that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses.

6. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.



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

8. The learned counsel appearing for the petitioner pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains that there are arguable points involved in these 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 of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

9. In the result, this Criminal Miscellaneous Petition is ordered. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(i) the petitioner is directed to be enlarged on bail on him executing 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 District Munsif cum Judicial Magistrate, Tiruchuli ;

(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



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(iii) the petitioner shall appear before the trial Court at 10.30 a.m. on
the first working day of every English Calendar month until further orders.

06.03.2026

(2/2)

Rmk

Note : Issue order copy on 10.03.2026

To

- 1.The District Munsif cum Judicial Magistrate, Tiruchuli.
- 2.The Additional District and Sessions Judge, Aruppukottai.
- 3.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.