



Crl.M.P.(MD)No.6186 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **23.03.2026**

CORAM

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

CRL MP(MD) NO. 6186 of 2026

in

CRL RC(MD) NO. 513 of 2026

Rajasekar

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.
Crime No.65 of 2019.

... Respondent

PRAYER: This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to suspend the sentence of imprisonment and sentence imposed by the Additional District and Sessions Judge (FTC), Kumbakonam in Crl.A.No.292 of 2023 dated 20.11.2025, by confirming the conviction and sentence passed by the Judicial Magistrate No.II, Kumbakonam in CC No.509 of 2020 dated 21.11.2023 pending disposal of the criminal revision.

For Petitioner : Ms.S.Prabha

For Respondent : Mr.M.Sakthi Kumar

Government Advocate



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed by the learned Additional District and Sessions Judge (FTC), Kumbakonam in Crl.A.No.292 of 2023 dated 20.11.2025, confirming the conviction and sentence imposed by the learned Judicial Magistrate No.II, Kumbakonam in CC No.509 of 2020 dated 21.11.2023 and enlarge the petitioner on bail, pending disposal of the criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 21.11.2023, and the trial Court sentenced him to undergo simple imprisonment for a period of two years concurrently, and also to pay a fine of Rs.10,000/-, in default to undergo six months simple imprisonment, for the offence under Section 326 & 506(2) of IPC in C.C.No.509 of 2020 on the file of the learned Judicial Magistrate No.II, Kumbakonam.

3. The learned Additional District and Sessions Judge (FTC), Kumbakonam confirmed the conviction, and sentence and dismissed the



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Criminal Appeal in Crl.A.No.292 of 2023 dated 20.11.2025. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

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

5. The learned counsel for the petitioner 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, and also considering the fact that the petitioner has good chance of succeeding in the revision petition, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

6. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions:

(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two



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sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Kumbakonam;

(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 petitioner shall appear before the learned Judicial Magistrate No.II, Kumbakonam, on all working days at 10.30 a.m., until further orders.

7. Considering the fact that the offence involved is an offence relating to the Court, the petitioner is directed to pay an amount of Rs.5,000/- (Rupees Five Thousand only) to the credit of WAA Cornelia Sorabjee Lecture Series, A/C No.6687756541, IFSC Code:IDIB000H040, within a period of one week from the date of receipt of a copy of this order.

8. Mr.M.Sakthi Kumar, learned Government Advocate takes notice for the respondent.

9. List after four weeks.

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To

- 1.The Additional District and Sessions Judge (FTC), Kumbakonam.
- 2.The Judicial Magistrate No.II, Kumbakonam.
- 3.The Inspector of Police,
Natchiyarkovil Police Station,
Thanjavur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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