



Crl.M.P.(MD)No.6004 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 18.03.2026

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THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.6004 of 2026

in

CRL RC(MD) No.499 of 2026

Partheepan @ Partheeban

... Petitioner

Vs.

The State Represented by
The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
(Crime No.100 of 2020)

... Respondent

PRAYER: This Criminal Miscellaneous Petition is filed under Section 528 of BNSS to suspend the sentence imposed on the petitioner and enlarge on bail in view of the judgment made in C.A.No.32 of 2025 dated 26.02.2025 on the file of the Principal District and Sessions Judge, Ramanathapuram District preferred against the judgment made in SC No.10 of 2022, dated 14.05.2025 passed by the learned Chief Judicial Magistrate, Ramanathapuram District.

For Petitioner : Mr.S.Balaji Nivas

For Respondent : Mr.M.Sakthi Kumar

Government Advocate



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in SC No.10 of 2022, dated 14.05.2025 passed by the learned Chief Judicial Magistrate, Ramanathapuram District, confirmed in C.A.No.32 of 2025 dated 26.02.2025 on the file of the Principal District and Sessions Judge, Ramanathapuram District.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 14.05.2025 for the offence under Section 294(b) and 326 of IPC and the trial Court sentenced him to undergo rigorous imprisonment for three years and to pay the fine amount of Rs.1,000/- (Rupees One Thousand only) in default, to undergo simple imprisonment for a period of three months, for the offence under Section 326 of IPC and also to pay the fine amount of Rs.1,000/- (Rupees One Thousand only) in default, to undergo simple imprisonment for a period of one month, for the offence under Section 294(b) of IPC in SC No.10 of 2022 on the file of the learned Chief Judicial Magistrate, Ramanathapuram District.

3. The learned Principal District and Sessions Judge, Ramanathapuram District, confirmed the conviction and sentence, and dismissed C.A.No.32 of



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2025 dated 26.02.2025. 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. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.

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

6. 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 bonafide expressed by the petitioner, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.



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7. 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 sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Ramanathapuram 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 petitioner shall appear before the learned trial Court, on all working days at 10.30 a.m., until further orders.
- (iv) The learned trial Court shall re-deposit the said sum in a Nationalised Bank, so that, the amount accrues interest and the same can be disbursed depending upon the outcome of the Criminal Revision Case in Crl.R.C.(MD)No. 499 of 2026.

8. Considering the facts and circumstances of the case, the petitioner is directed to pay an amount of Rs.10,000/- (Rupees Ten 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 today.



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

10. List the matter after four weeks.

18.03.2026

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To:-

- 1.The Principal District and Sessions Judge, Ramanathapuram District.
- 2.The Chief Judicial Magistrate, Ramanathapuram District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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in
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