



CRL MP(MD). No.6752 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 01/04/2026

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THE HONOURABLE MRS. JUSTICE L. VICTORIA GOWRI

CRL MP(MD). No.6752 of 2026
in
CRL RC(MD). No.564 of 2026

Ajithkumar

... Petitioner

Vs

State of Tamilnadu Rep by
Sub Inspector of Police,
Arumanai Police Station,
Kanyakumari District,
Crime No.49/2009.

... Respondent

PRAYER :-

To Suspend the sentence imposed in Crl.A. No. 9 of 2016 on the file of learned Additional Sessions Judge, Kuzhithurai dated 29.01.2026 modifying the sentence imposed in C.C. No. 121 of 2009 on the file of the learned Judicial Magistrate No.1, Kuzhithurai dated 06.01.16.

For Petitioner : Mr. P.Sonu,
Advocate.

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (Crl.Side)



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CRL MP(MD). No.6752 of 2026

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed by the learned Additional Sessions Judge, Kuzhithurai in Crl.A. No. 9 of 2016 dated 29.01.2026, modifying the conviction and sentence imposed by the learned Judicial Magistrate No.1, Kuzhithurai in C.C. No. 121 of 2009 dated 06.01.2016 and enlarge the petitioner on bail, pending disposal of the criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that this Revision Petition has been filed against the judgment and conviction imposed in C.A.No.9 of 2016 on the file of the Additional Sessions Judge, Kuzhithurai, dated 29.01.2026 sentencing him to undergo 6 months Rigorous imprisonment and to pay a fine of Rs.1,000/- and in default to undergo two months simple imprisonment for the offence under Section 324 of IPC modifying the sentence imposed in C.C.No.121 of 2009 on the file of the learned Judicial Magistrate No.I, Kuzhithurai, dated 06.01.2016, sentencing him to pay a fine of Rs.500/- in default to undergo one month simple imprisonment for the offence under Section



CRL MP(MD). No.6752 of 2026

341 of IPC, to pay a fine of Rs.500/- in default to undergo one month simple imprisonment for the offence under Section 294(b) of IPC and to undergo one year Rigorous imprisonment and to pay a fine of Rs.1000/- and in default to undergo 2 months simple imprisonment, for the offence under Section 326 of IPC.

3. 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



CRL MP(MD). No.6752 of 2026

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 sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Kuzhithurai ;

(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.1, Kuzhithurai , 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. 10,000/- (Rupees Ten Thousand only) to the credit of WAA Cornelia



CRL MP(MD). No.6752 of 2026

Sorabjee Lecture Series, A/C No.6687756541, IFSC

Code:IDIB000H040, within a period of one week from today.

9. Post the matter after four weeks, for reporting compliance.

01.04.2026

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Note: **Issue order copy on 02.04.2026**

To

- 1.The Additional Sessions Judge, Kuzhithurai.
2. The Judicial Magistrate No.1, Kuzhithurai.
3. The Sub Inspector of Police, Arumanai Police Station,
Kanyakumari District, Crime No.49/2009.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L. VICTORIA GOWRI,J

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