



*Crl.MP(MD) No.6530 of 2026 in
Crl.A(MD) No.369 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.04.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.6530 of 2026
in Crl.A.(MD)No.369 of 2026

1.Maranadu

2.Muthu

... Petitioners

Vs.

The State of Tamil Nadu,
Rep by the Inspector of Police,
T.Kallupatti Police Station (circle),
Madurai District.
Crime No.334/2019

... Respondent

Prayer: Petition filed under Section 430(2) of BNSS to suspend the sentence imposed by the learned Special District Judge to deal with the case of offences in Contravention of the provisions of the Mines and Minerals (D & R) Act, 1957, Madurai passed in Spl.S.C.No.109 of 2023, dated 23.01.2026.

For Petitioner(s):

Mr.S.Muniyandi

For Respondent(s):

Mr.A.S.Abul Kalaam Azad,
Government Advocate (Crl. Side)



*Crl.MP(MD) No.6530 of 2026 in
Crl.A(MD) No.369 of 2026*

WEB COPY

ORDER

The petitioners, accused in Spl.S.C.No.109 of 2023, on the file of the learned Special District Judge, Special Court to Deal with the cases of Offences in Contravention of the Provisions of the Mines and Minerals (D & R) Act, 1957, Madurai were found guilty by the trial Court and were convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1	379 IPC	3 years RI	-	-
2	4(1)(1-A) r/w 21(1) MMDR Act, 1957	3 years RI	Rs. 1,000/-	2 months RI

As against the conviction and sentence imposed by the trial Court in Spl.S.C.No.109 of 2023, dated 23.01.2026, the petitioners have filed a Criminal Appeal in Crl.A(MD)No.369 of 2026 and the same was admitted by this Court today, i.e., on 08.04.2026. The petitioners have also moved this application to suspend the sentence imposed on them by the trial Court.

2. The case of the prosecution is that on 04.12.2019, at about 20.15 hours, the petitioners had illegally transported 3 units of gravel sand



*Crl.MP(MD) No.6530 of 2026 in
Crl.A(MD) No.369 of 2026*

already taken by them from T.Pudupatti Oorani Kanmai, for sale. Hence the case.

3. The learned counsel appearing for the petitioners submits that as per the undertaking given by the petitioners on 01.04.2026, they have surrendered before the Central Prison, Madurai on 06.04.2026.

4. The learned Government Advocate appearing for the respondent submits that the petitioners had illegally transported 3 units of gravel sand.

5. This Court considered the rival submissions made and also perused the materials placed on record.

6. Considering the nature of offence and for the reasons that the appeal could not be taken up immediately, this Court is inclined to suspend the sentence imposed on the petitioners.



WEB COPY



*CrI.MP(MD) No.6530 of 2026 in
CrI.A(MD) No.369 of 2026*

7. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioners are ordered to be enlarged on bail on the following conditions:-

- i. The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Special District Judge, Special Court to Deal with the cases of Offences in Contravention of the Provisions of the Mines and Minerals (D & R) Act, 1957, Madurai.
- ii. The petitioners shall report before the respondent police daily at 10.30 a.m., till the disposal of the appeal.
- iii. The petitioners shall file an affidavit of undertaking before the respondent police that they will not involve in any offence in future.
- iv. In the event, if the petitioners have violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to them.

**08.04.2026
(2/2)**

mbi



*CrI.MP(MD) No.6530 of 2026 in
CrI.A(MD) No.369 of 2026*

To

WEB COPY

1.The learned Special District Judge,
Special Court to Deal with the cases of Offences
in Contravention of the Provisions of the
Mines and Minerals (D & R) Act, 1957,
Madurai.

2.Inspector of Police,
T.Kallupatti Police Station (circle),
Madurai District.

3.The Superintendent,
Central Prison,
Madurai.

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



WEB COPY



*CrI.MP(MD) No.6530 of 2026 in
CrI.A(MD) No.369 of 2026*

B.PUGALENDHI, J.,

mbi

CrI.MP(MD) No.6530 of 2026
in
CrI.A(MD) No.369 of 2026

08.04.2026
(2/2)