



CRL MP(MD) NO. 5188 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22-01-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) Nos. 5188 and 5189 of 2025

IN

CRL RC(MD) NO. 503 of 2025

Vedhamanickam

Petitioner(s)

Vs

State of Tamil Nadu rep. by,
The Inspector of Police,
All Woman Police Station,
Devakottai,
Sivagangai District.
(Crime No.14 of 2012)

Respondent(s)

For Petitioner(s):

Mr.N.Mohideen Basha

For Respondent(s):

Mr.M.Karunanithi

Government Advocate (Crl. Side)

Prayer in Crl.M.P.(MD).No.5188 of 2025:

To suspend the sentence passed C.C.No.86 of 2013 on the file of the Judicial Magistrate, Devakottai, Sivagangai District and the same was modified in C.A.No. 54 of 2019 dated 19.03.2025 on the file of the Learned Principal Sessions Court, Sivagangai District pending disposal of the above said Criminal Revision on the file of this Court.

Prayer in Crl.M.P.(MD).No.5189 of 2025:

To exempt the petitioner from surrendering in C.C.No.86 of 2013 on the file of the Judicial Magistrate, Devakottai, Sivagangai District and the same was modified in C.A.No.54 of 2019 dated 19.03.2025 on the file of the Learned Principal Sessions Court, Sivagangai District pending disposal of the above said Criminal Revision on the file of this Court.



ORDER

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Heard Mr.N.Mohideen Basha, learned counsel for petitioner and Mr.M.Karunanithi, learned Government Advocate (Crl. Side) appearing for respondent.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed on petitioner by Judicial Magistrate, Devakottai, Sivagangai District in C.C.No.86 of 2013 dated 09.07.2019, which was modified by Principal Sessions Court, Sivagangai District in C.A.No.54 of 2019 dated 19.03.2025 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Devakottai, Sivagangai District in C.C.No.86 of 2013 for offences under Section 354 of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act and sentenced as follows:

(i) to undergo two years simple imprisonment and to pay a fine of Rs.5000/-, in default to undergo 30 days simple imprisonment for the offence under Section 354 of IPC; and

(ii) to undergo three years simple imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo 60 days simple imprisonment for the offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act.



3.1. Aggrieved, petitioner filed Criminal Appeal in C.A.No.54 of 2019 before Principal Sessions Judge, Sivagangai and lower Appellate Court vide order dated 19.03.2025 dismissed the appeal by modifying the judgment passed by Trial Court as follows:

(i) to undergo one year simple imprisonment for the offence under Section 354 of IPC;

(ii) to undergo six months simple imprisonment for the offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women Act;

(iii) the fine amount of Rs.15,000/- imposed by the Trial Court was confirmed.

Aggrieved, petitioner filed present Criminal Revision Petition in CrI.R.C.(MD) No.503 of 2025 before this Court along with instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

4. Learned Counsel for petitioner would submit that petitioner has a good case *inter alia* stating that the Courts below failed to see that the witnesses were not credible and there were inconsistencies in the statements of defence witnesses; that there were discrepancies in the statement of P.W.7/victim, wherein, she had stated that she did not see the accused. Learned counsel would further submit that petitioner has raised other substantial grounds in above revision, which requires



consideration; and that he also paid fine amount as per the order of trial Court.

Hence, he prayed for granting suspension of sentence and bail to petitioner.

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5. Learned Government Advocate appearing for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioner at this stage be refused by this Court.

6. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the Court below on the following conditions, till the disposal of above Criminal Revision:

i) Petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the Judicial Magistrate, Devakottai;

ii) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



iii) Petitioner shall appear and sign before Judicial Magistrate, Devakottai, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

7. Accordingly, this Criminal Miscellaneous Petitions are **ordered**.

22-01-2026

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To

1.The Judicial Magistrate,
Devakottai, Sivagangai District.

2.The Principal Sessions Court,
Sivagangai District.

3.The Inspector of Police,
All Woman Police Station,
Devakottai,
Sivagangai District.

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