



*Crl.M.P.(MD)No.7505 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **09.04.2026**

CORAM

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

CRL MP(MD) No.7505 of 2026

in

CRL RC(MD) No.625 of 2026

Vignesh Kumar

... Petitioner

Vs.

The State of Tamil Nadu,  
rep.by The Inspector of Police,  
Thandikudi Police Station,  
Dindigul District.  
(Crime No.160/2023)

... 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 imposed in Judgment dated 23.09.2024 made in C.C.No.3 of 2024 on the file of the District Munsif and Judicial Magistrate Court No.I, Kodaikanal as confirmed by the Judgment dated 03.02.2026 made in Crl.A.No.100 of 2026 on the file of the Additional District Court (Fast Track Court), Palani.

For Petitioner : Mr.R.Senthil Kumar

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



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### **ORDER**

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in Judgment dated 23.09.2024 made in C.C.No.3 of 2024 on the file of the District Munsif and Judicial Magistrate Court No.I, Kodaikanal as confirmed by the Judgment dated 03.02.2026 made in Crl.A.No.100 of 2026 on the file of the Additional District Court (Fast Track Court), Palani.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 23.09.2024, and the trial Court sentenced him to undergo simple imprisonment for a period of one year each, for the offence under Section 379 of IPC and to pay a fine of Rs.5,000/-, in default, to undergo simple imprisonment for a period of three months on the file of the learned Additional District Court (Fast Track Court), Palani.

3. The learned Additional District Court (Fast Track Court), Palani confirmed the conviction, and confirmed the sentence and dismissed the Criminal Appeal No.100 of 2026 dated 03.02.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.



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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 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.

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



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(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 District Munsif and Judicial Magistrate Court No.I, Kodaikanal ;

(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 District Munsif and Judicial Magistrate Court No.I, Kodaikanal, on all working days at 10.30 a.m., until further orders.

**09.04.2026**

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**Note : Issue order copy on 09.04.2026.**

To

- 1.The Additional District Court (Fast Track Court), Palani.
- 2.The District Munsif and Judicial Magistrate Court No.I, Kodaikanal
- 3.Do through the Chief Judicial Magistrate,  
Dindigul District.



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4.The Inspector of Police,  
Thandikudi Police Station,  
Dindigul District.

5.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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