



*CRL MP(MD) No.9142 of 2026
in Crl.R.C.(MD)No.764 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2026

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

CRL MP(MD) No.9142 of 2026

in

CRL RC(MD) No.764 of 2026

Thangaraj

Petitioner/Petitioner

Vs

State of Tamilnadu rep. by its

The Sub Inspector of Police,

Puzhudhipatty Police Station,

Sivagangai District.

(Crime No.6/2016)

... Respondent/Respondent

For Petitioner: Mr.N.Palaniyandi

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

Prayer in CRL MP(MD).9142 of 2026 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. Praying to suspend the execution of sentence in C.A.No.121 of 2024 on the file of the Principal Sessions Judge, Sivagangai, Sivagangai District in its Judgment dated 04.03.2026 and enlarge the petitioners on bail till the disposal of the Criminal Revision Petition.



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the execution of sentence in C.A.No.121 of 2024 on the file of the Principal Sessions Judge, Sivagangai, Sivagangai District in its Judgment dated 04.03.2026 and enlarge the petitioners on bail till the disposal of the Criminal Revision Petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner was convicted by the trial Court on 23.09.2024 in C.C.No.219 of 2019 on the file of the learned District Munsif cum Judicial Magistrate, Singampunari, Sivagangai District and sentenced to undergo simple imprisonment for a period of six months for the offence under Section 355 IPC, and to undergo simple imprisonment for a period of one year for the offence under Section 324 IPC, and to undergo simple imprisonment for a period of three months for the offence under Section 506(ii) IPC, and to undergo simple imprisonment for a period of one year and to pay a fine of Rs.10,000/-, in default, to undergo further period of one month simple imprisonment for the offence under Section 4 of TNPHW Act, concurrently.



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3. Challenging the above said conviction and sentence, the petitioner has preferred appeal in Crl.A.No.212 of 2024 on the file of the learned Principal Sessions Judge, Sivagangai, Sivagangai District. The learned Principal Sessions Judge, Sivagangai, Sivagangai District had modified the judgment with regard to simple imprisonment for a period of one year for the offence under Section 324 to simple imprisonment for a period of six months, and with regard to simple imprisonment for a period of one year for the offence under Section 4 of TNPHW Act to simple imprisonment for a period of six months. However, the other portion of the judgment was confirmed. Aggrieved by the same, the petitioner has preferred the present Criminal Revision Case along with the above miscellaneous petition.

4. The learned Government Advocate(crl.side) strongly objected for granting suspension of sentence, drawing my attention to the fact that the though the learned counsel for the petitioner insisted that suspension of sentence is automatic, the learned Additional Public Prosecutor strongly objected to the said submission by pointing out that this is not a criminal appeal, but the petitioner has come before this Court by way of revision challenging the concurrent findings of the trial Court as well as the findings of the appellate Court.



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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 :

(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 cum Judicial Magistrate, Singampunari, Sivagangai District;



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(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 cum Judicial Magistrate, Singampunari, Sivagangai District, on all working days at 10.30 a.m., until further orders.

7. Accordingly, this Miscellaneous Petition is allowed.

**29.04.2026
(2/2)**

gbg

To

- 1.The Principal Sessions Judge,
Sivagangai, Sivagangai District.
- 2.The District Munsif cum Judicial Magistrate,
Singampunari, Sivagangai District.
- 3.Do through the Chief Judicial Magistrate,
Sivagangai District.



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- 4.The Sub Inspector of Police,
Puzhudhipatty Police Station,
Sivagangai District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.