

Crl.M.P.(MD)No.7410 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 10.04.2026

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THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.7410 of 2026

in

CRL RC(MD) No.611 of 2026

Ajay @ Ajaykumar

... Petitioner

Vs.

The Inspector of Police,
Gudalur South Police Station,
Theni District.
(Crime No.212/2023)

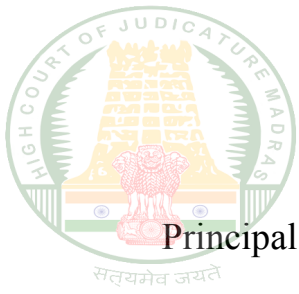
... Respondent

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 C.A.No.184 of 2024 order dated 24.03.2026 on the file Principal Sessions Court, Theni by confirming the conviction made in C.C.No.29 of 2024 on the file of Judicial Magistrate, Uthamapalayam dated 25.10.2024 and enlarge the petitioner on bail till pending disposal of the revision petition.

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

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed in C.A.No.184 of 2024 order dated 24.03.2026 on the file



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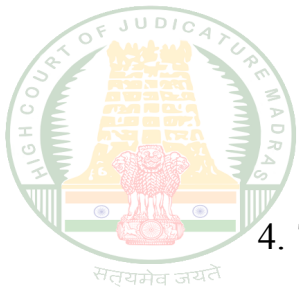
Principal Sessions Court, Theni by confirming the conviction made in C.C.No.

29 of 2024 on the file of Judicial Magistrate, Uthamapalayam dated 25.10.2024

and enlarge the petitioner on bail till pending disposal of the revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 25.10.2024, and the trial Court sentenced him to undergo rigorous imprisonment for a period of one year and to pay a fine of Rs.5,000/-, for the offence under Section 392 r/w 34 IPC, and to undergo imprisonment for a period of one year, for the offence under Section 120 B of IPC and to pay a fine of Rs.5,000/-, in default of payment of the total fine amount of Rs.10,000, to undergo simple imprisonment for a period of one month concurrently on the file of the learned Judicial Magistrate Court, Uthamapalayam.

3. The learned Principal Sessions Court, Theni confirmed the conviction, and confirmed the sentence and dismissed the Criminal Appeal No.184 of 2024 dated 24.03.2026. 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. He also submitted that as per the order of this Court, the petitioner had surrendered before the learned trial Court. 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



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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 Judicial Magistrate Court, Uthamapalayam;

(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 Court, Uthamapalayam on all working days at 10.30 a.m., until further orders.

10.04.2026

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Note : Issue order copy on 10.04.2026.

To

- 1.The Principal Sessions Court, Theni.
- 2.The Judicial Magistrate Court, Uthamapalayam.
- 3.Do through the Chief Judicial Magistrate,
Theni District.
- 4.The Inspector of Police,
Gudalur South Police Station,
Theni District.

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



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L.VICTORIA GOWRI, J.,

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