

Crl.M.P.(MD)No.8159 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 17.04.2026

CORAM

THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.8159 of 2026

in

CRL RC(MD) No.684 of 2026

Anthony Joseph Eknesiyas @ Viki

... Petitioner /A1

Vs.

The State of Tamil Nadu,
Rep.by The Inspector of Police,
Karur TownP.S.,
(Crime No.90/2022)

... Respondent /Complainant

Prayer : This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to suspend the conviction and sentence passed by the Learned District and Sessions Judge, Karur in Crl.A.No.165 of 2024 dated 19.01.2026 by confirming the judgment of conviction and sentence passed in C.C.No.626 of 2022 dated 22.02.2024 by the Judicial Magistrate No.I, Karur pending disposal of the above criminal revision case.

For Petitioner : Mr.M.Vivek

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



Crl.M.P.(MD)No.8159 of 2026

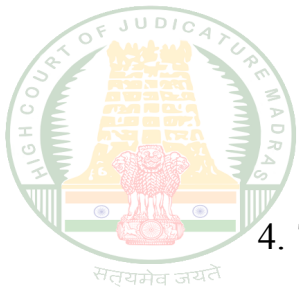
ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the conviction and sentence passed by the learned District and Sessions Judge, Karur in Crl.A.No.165 of 2024 dated 19.01.2026 by confirming the judgment of conviction and sentence passed in C.C.No.626 of 2022 dated 22.02.2024 by the Judicial Magistrate No.I, Karur pending disposal of the above criminal revision case.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 22.02.2024, and the trial Court sentenced him to undergo simple imprisonment for a period of two years, for the offence under Section 420 IPC and to pay a fine of Rs.5,000/-, in default, to undergo simple imprisonment for a period of one month on the file of the learned Judicial Magistrate No.I, Karur.

3. The learned District and Sessions Judge, Karur confirmed the conviction, and confirmed the sentence and dismissed the Criminal Appeal No. 165 of 2024 dated 19.01.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.



Crl.M.P.(MD)No.8159 of 2026

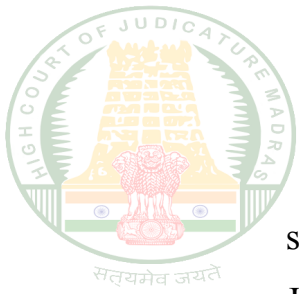
4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.

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 :

(i) The petitioner shall execute a bond for a sum of **Rs. 25,000/- (Rupees Twenty Five Thousand only)** with two



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Crl.M.P.(MD)No.8159 of 2026

sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Karur;

(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 No.I, Karur, on all working days at 10.30 a.m., until further orders.

8. Considering the facts and circumstances of the case, the petitioner is directed to pay an amount of Rs.10,000/- (Rupees Ten Thousand only) to the credit of the Aishwaryam Trust, Indian Bank, Tirunagar Branch, Madurai, Account No.6639017788, IFSC Code: IDIB000T032, within a period of one week from today.

9. Post for reporting compliance after four weeks.

17.04.2026

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Crl.M.P.(MD)No.8159 of 2026

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- 1.The District and Sessions Judge,
Karur.
- 2.The Judicial Magistrate No.I,
Karur.
- 3.Do through the Chief Judicial Magistrate,
Karur District.
- 4.The Inspector of Police,
Karur Town Police Station.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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Crl.M.P.(MD)No.8159 of 2026

L.VICTORIA GOWRI, J.,

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Crl. MP(MD)No.8159 of 2026
in
CRL RC(MD)No.684 of 2026

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