



*CRL MP(MD) No.9149 of 2026
in Crl.R.C.(MD)No.767 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.9149 of 2026

in

CRL RC(MD) No.767 of 2026

Rajkumar

Petitioner/Petitioner

Vs

State of Tamilnadu rep. by its

The Inspector of Police,

Kulithalai Police Station,

Karur District.

(Crime No.18/2021)

... Respondent/Respondent

For Petitioner: M/s.V.Muthulakshmi

**For Respondent: Mr.S.S.Manoj
Government Advocate(Crl.side)**

Prayer in CRL MP(MD).9149 of 2026 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. Praying to enlarge the petitioner on bail by suspending the sentence imposed upon the petitioner in C.C.No.12 of 2021 on the file of the learned Judicial Magistrate No.II, Kulithalai, Karur District dated 24.07.2023 which had been modified in Crl A No.164 of 2023 on the file of the learned District and Sessions Judge, Karur, Karur District, dated 19.09.2025 pending disposal of the main criminal revision petition.



WEB COPY



*CRL MP(MD) No.9149 of 2026
in Crl.R.C.(MD)No.767 of 2026*

ORDER

This Criminal Miscellaneous Petition has been filed to enlarge the petitioner on bail by suspending the sentence imposed upon the petitioner in C.C.No.12 of 2021 on the file of the learned Judicial Magistrate No.II, Kulithalai, Karur District dated 24.07.2023 which had been modified in Crl A No.164 of 2023 on the file of the learned District and Sessions Judge, Karur, Karur District, dated 19.09.2025 pending disposal of the main criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner was convicted by the trial Court on 24.07.2023 in C.C.No.12 of 2021 on the file of the learned Judicial Magistrate No.II, Kulithalai, Karur District and sentenced to undergo simple imprisonment for a period of two years for the offence under Section 326 IPC and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for a period of one week, and to undergo simple imprisonment for a period of six months for the offence under Section 324 IPC.

3. Challenging the above said conviction and sentence, the petitioner has preferred appeal in Crl.A.No.164 of 2023 on the file of the learned District and



*CRL MP(MD) No.9149 of 2026
in Crl.R.C.(MD)No.767 of 2026*

Sessions Judge, Karur, Karur District. The learned District and Sessions Judge, Karur, Karur District had modified the judgment by setting aside the conviction and sentence for the offence under Section 324 IPC. 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.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.



*CRL MP(MD) No.9149 of 2026
in Crl.R.C.(MD)No.767 of 2026*

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 Judicial Magistrate No.II, Kulithalai, Karur District;

(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



*CRL MP(MD) No.9149 of 2026
in Crl.R.C.(MD)No.767 of 2026*

WEB COPY

(iii) The petitioner shall appear before the learned Judicial Magistrate No.II, Kulithalai, Karur 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 District and Sessions Judge,
Karur, Karur District.
- 2.The Judicial Magistrate No.II,
Kulithalai, Karur District.
- 3.Do through the Chief Judicial Magistrate,
Karur District.
- 4.The Inspector of Police,
Kulithalai Police Station,
Karur District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.