



Crl.M.P.(MD)No.8793 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **27.04.2026**

CORAM

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

CRL MP(MD) NO. 8793 of 2026

in

CRL RC(MD) NO. 738 of 2026

Saravanan @ Saravanakumar

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Narikudi Police Station,
Virudhunagar District.

... 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 passed by the learned District Munsif cum Judicial Magistrate, Tiruchuli made in CC No.356 of 2021 dated 23.08.2023 which was confirmed by the learned Additional District and Sessions Court, Aruppukottai made in Criminal Appeal No.138 of 2023 dated 29.01.2026, for the pending disposal of the present criminal revision petition.

For Petitioner : Mr.M.Chellapandian

For Respondent : Mr.S.Ravi

Additional Public Prosecutor



Crl.M.P.(MD)No.8793 of 2026

ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed by the learned Additional District and Sessions Judge, Aruppukottai in Criminal Appeal No.138 of 2023 dated 29.01.2026, confirming the conviction and sentence imposed by the learned District Munsif cum Judicial Magistrate, Tiruchuli in CC No.356 of 2021 dated 23.08.2023 and enlarge the petitioner on bail, pending disposal of the criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 23.08.2023, and the trial Court sentenced him to undergo simple imprisonment for a period of two years, and also to pay a fine of Rs.2,000/-, in default to undergo one month simple imprisonment, (2 counts), concurrently, for the offence under Section 457 & 393 of IPC in C.C.No.356 of 2021 on the file of the learned District Munsif cum Judicial Magistrate, Tiruchuli.

3. The learned Additional District and Sessions Judge, Aruppukottai, confirmed the conviction, and sentence and dismissed the Criminal Appeal in



Crl.M.P.(MD)No.8793 of 2026

Criminal Appeal No.138 of 2023 dated 29.01.2026. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

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.



Crl.M.P.(MD)No.8793 of 2026

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, Tiruchuli;

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

8. Considering the fact the offence involved in this case, the petitioner is directed to pay an amount of Rs.10,000/- (Rupees Ten Thousand only) to the credit of WAA Cornelia Sorabjee Lecture Series, A/C No.6687756541, IFSC Code:IDIB000H040, within a period of one week from today.

9. Mr.S.Ravi, learned Additional Public Prosecutor takes notice for the respondent.



Crl.M.P.(MD)No.8793 of 2026

10. Post the matter for reporting compliance after four weeks.

27.04.2026

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Note: Issue order copy on 29.04.2026.

To:-

- 1.The Additional District and Sessions Judge, Aruppukottai.
- 2.The District Munsif cum Judicial Magistrate, Tiruchuli.
- 3.The Inspector of Police,
Narikudi Police Station,
Virudhunagar District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 5.The Superintendent, Central Prison, Madurai.



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Crl.M.P.(MD)No.8793 of 2026

L.VICTORIA GOWRI, J.

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Crl. MP(MD)No.8793 of 2025
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CRL RC(MD)No.738 of 2026
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