



Crl.M.P.(MD)No.8628 of 2026

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.06.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.8628 of 2026

in

CRL RC(MD) No.720 of 2026

Kannan

Petitioner/Appellant/A1

Vs

State of Tamilnadu rep. by its

The Inspector of Police,

Thondi Police Station,

Ramanathapuram District.

(Crime No.137/2017)

... Respondent/Respondent/Complainant

For Petitioner: Mr.N.Mohideen Basha

For Respondent: Mr.C.Susikumar

Government Advocate

Prayer in CRL MP(MD).8628 of 2026 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to suspend the sentence passed in S.C.No.152 of 2023 dated 09.05.2025 on the file of the Assistant Sessions Court/Chief Judicial Magistrate Court, Ramanathapuram and the same was confirmed in C.A.No.31 of 2025 dated 02.04.2026 on the file of the learned Principal District and Sessions Court, Ramanathapuram pending disposal of the above said criminal revision.



Crl.M.P.(MD)No.8628 of 2026

ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence passed in S.C.No.152 of 2023 dated 09.05.2025 on the file of the Assistant Sessions Court/Chief Judicial Magistrate Court, Ramanathapuram and the same was confirmed in C.A.No.31 of 2025 dated 02.04.2026 on the file of the learned Principal District and Sessions Court, Ramanathapuram pending disposal of the above said criminal revision.

2. The learned counsel appearing for the petitioner submitted that the petitioner was convicted by the trial Court on 09.05.2025 in S.C.No.152 of 2023 on the file of the learned Assistant Sessions Court/Chief Judicial Magistrate Court, Ramanathapuram and sentenced to undergo rigorous imprisonment for a period of three years for the offence under Section 5(a) of Explosive Substances Act and to pay a fine of Rs.1000/-, in default, to undergo simple imprisonment for a period of three months.

3. Challenging the above said conviction and sentence, the petitioner has preferred appeal in Crl.A.No.31 of 2025 on the file of the learned Principal District and Sessions Court, Ramanathapuram. The learned Principal District and Sessions Court, Ramanathapuram by confirming the conviction and



Crl.M.P.(MD)No.8628 of 2026

sentence, dismissed the appeal. Aggrieved by the same, the petitioners has preferred the present Criminal Revision Case along with the above miscellaneous petition.

4. The learned Government Advocate strongly objected for granting suspension of sentence, drawing the Court's attention to the fact that the though the learned counsel for the petitioner insisted that suspension of sentence is automatic, the learned Government Advocate 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.

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 this Court passed an order directing the petitioner to surrender by 08.06.2026 vide order dated 22.04.2026. Pursuant to which, the petitioner had surrendered before the



Crl.M.P.(MD)No.8628 of 2026

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 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 Assistant Sessions Court/Chief Judicial Magistrate Court, Ramanathapuram;

(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 Assistant Sessions Court/Chief Judicial Magistrate Court, Ramanathapuram on all working days at 10.30 a.m., until further orders.



Crl.M.P.(MD)No.8628 of 2026

WEB COPY 8. Accordingly, this Miscellaneous Petition is allowed.

09.06.2026
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Note : Issue order copy on 09.06.2026.

To

- 1.The Principal District and Sessions Court,
Ramanathapuram.
- 2.The Assistant Sessions Court/Chief Judicial Magistrate
Court, Ramanathapuram
- 3.Do through the Chief Judicial Magistrate,
Ramanathapuram District.
- 4.The Inspector of Police,
Thondi Police Station,
Ramanathapuram District.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.