



*Crl.M.P.(MD)No.10402 of 2026*

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

DATED: 08.06.2026

CORAM

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

CRL MP(MD) No.10402 of 2026

in

CRL RC(MD) No.900 of 2026

J.Sivakumar

Petitioner/Petitioner

Vs

State of Tamilnadu rep. by its  
The Inspector of Police,  
Thirumangalam Police Station,  
Thirumangalam,  
Madurai District.

... Respondent/Respondent

**For Petitioner:** Mr.K.Vinayagan

**For Respondent:** Mr.S.Arun Arockiasamy  
State Counsel for State of TN(Crl.side)

**Prayer in CRL MP(MD).10402 of 2026 :**

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to suspend the sentence imposed on the petitioner, in the judgment passed by the Additional District and Sessions Court-VI, Madurai in C.A.No.65 of 2023 dated 27.02.2026 by confirming the judgment of conviction passed by the Judicial Magistrate Court, Thirumangalam in C.C.No.58 of 2018, dated 03.07.2023 and allow the petitioner to continue on the same bail till the disposal of the main criminal revision petition.



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## **ORDER**

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This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner, in the judgment passed by the Additional District and Sessions Court-VI, Madurai in C.A.No.65 of 2023 dated 27.02.2026 by confirming the judgment of conviction passed by the Judicial Magistrate Court, Thirumangalam in C.C.No.58 of 2018, dated 03.07.2023 and allow the petitioner to continue on the same bail till the 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 03.07.2023 in C.C.No.58 of 2018 on the file of the learned Judicial Magistrate, Thirumangalam and sentenced to a fine of Rs.500/-, in default, to undergo simple imprisonment for one week and a sentence of imprisonment of one year and fine of Rs.5,000/- in default to undergo simple imprisonment for one week respectively.

3. Challenging the above said conviction and sentence, the petitioner has preferred appeal in Crl.A.No.65 of 2023 on the file of the learned Additional District and Sessions Court-VI, Madurai. The learned Additional District and Sessions Court-VI, Madurai by confirming the conviction and sentence,



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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 counsel for the State of TN (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 counsel for the State of TN (crl.side) 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. 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



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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 Court, Thirumangalam;

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



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

**08.06.2026**  
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**To**

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