



Crl.M.P.(MD)No.9319 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 29.04.2026

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.9319 of 2026

in

CRL RC(MD) No.783 of 2026

1.Muruganantham

2.Kanagaraj

Petitioners/Petitioners

Vs

State of Tamilnadu rep. by its

The Inspector of Police,

Prohibition Enforcement Wing (PEW),

Karur.

(Crime No.386/2021)

... Respondent/Respondent

For Petitioner: Mr.V.Balaji

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

Prayer in CRL MP(MD).9319 of 2026 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to suspend the conviction and Sentence passed passed by the Learned Judicial Magistrate No.1, Karur in C.C.No.204 of 2021, dated 26.09.2023 as confirmed in the judgment passed by the learned Principal District and Session Judge, Karur in Criminal Appeal No.194 of 2023, dated 20.01.2026, pending disposal of the above criminal revision case.



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the conviction and Sentence passed passed by the Learned Judicial Magistrate No. 1, Karur in C.C.No.204 of 2021, dated 26.09.2023 as confirmed in the judgment passed by the learned Principal District and Session Judge, Karur in Criminal Appeal No.194 of 2023, dated 20.01.2026, pending disposal of the above criminal revision case.

2. The learned counsel appearing for the petitioners submitted that the petitioners were convicted by the trial Court on 26.09.2023 in C.C.No.204 of 2021 on the file of the learned Judicial Magistrate No.1, Karur and to pay a fine of Rs.1000/- each, in default, to undergo simple imprisonment for a period of one month for the offence under Section 4(1)(a) of TNP Act, and to pay a fine of Rs.2,000/- each, in default, to undergo simple imprisonment for a period of one month for the offence under Section 24 TNP Act.

3. Challenging the above said conviction and sentence, the petitioners have preferred appeal in Crl.A.No.194 of 2023 on the file of the learned Principal District and Session Judge, Karur. The learned Principal District and Session Judge, Karur by confirming the conviction and sentence, dismissed the



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appeal. Aggrieved by the same, the petitioners have 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 petitioners insisted that suspension of sentence is automatic, the learned Government Advocate(crl.side) strongly objected to the said submission by pointing out that this is not a criminal appeal, but the petitioners have 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 petitioners 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



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likely to be taken up for final hearing in the near future and as such, and also considering the fact that the petitioners have good chance of succeeding in the revision petition, this Court is of the considered view that the petitioners herein are 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 petitioners shall execute a bond for a sum of Rs. 25,000/(Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, 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.1, Karur, on all working days at 10.30 a.m., until further orders.



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8. Accordingly, this Miscellaneous Petition is allowed.

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29.04.2026
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To

- 1.The Principal District and Session Judge, Karur.
- 2.The Judicial Magistrate No.1, Karur .
- 3.Do through the Chief Judicial Magistrate,
Virudhunagar District.
- 4.The Inspector of Police,
Prohibition Enforcement Wing (PEW),
Karur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.