



Crl.M.P.(MD)No.9717 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01.06.2026

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THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.9717 of 2026

in

CRL RC(MD) No.830 of 2026

Paramasivapandi

Petitioner/Petitioner

Vs

State of Tamilnadu rep. by its

The Sub Inspector of Police,

West Police Station,

Virudhunagar,

Virudhunagar District.

(Crime No.86/2016)

... Respondent/Respondent

For Petitioner: Mr.S.Ramasamy

For Respondent: Mr.D.Rajaboopathy
Government Advocate(Crl.side)

Prayer in CRL MP(MD).9717 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 by the Judicial Magistrate No.I, Virudhunagar in C.C.No.186 of 2016 by judgment dated 25.04.2022 which was confirmed by the Additional District Judge, Virudhunagar in C.A.No.13 of 2022 by judgment dated 07.03.2026 pending the disposal of the main criminal revision petition on the file of this Court.



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ORDER

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This Criminal Miscellaneous Petition has been filed to enlarge the petitioner on bail by suspending the sentence imposed by the Judicial Magistrate No.I, Virudhunagar in C.C.No.186 of 2016 by judgment dated 25.04.2022 which was confirmed by the Additional District Judge, Virudhunagar in C.A.No.13 of 2022 by judgment dated 07.03.2026 pending the disposal of the main criminal revision petition on the file of this Court.

2. The learned counsel appearing for the petitioner submitted that the petitioner was convicted by the trial Court on 25.04.2022 in C.C.No.186 of 2016 on the file of the learned Judicial Magistrate No.I, Virudhunagar and sentenced to pay a fine amount of Rs.100/-, in default, to undergo simple imprisonment for a period of one week for the offence under Section 323 IPC, and to undergo simple imprisonment for a period of three months for the offence under Section 4 of Tamil Nadu Prohibition of Harassment of Women, and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for a period of two months.

3. Challenging the above said conviction and sentence, the petitioner has preferred appeal in Crl.A.No.13 of 2022 on the file of the learned Additional



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District Judge, Virudhunagar. The learned Additional District Judge, Virudhunagar by confirming the conviction and sentence, dismissed the appeal.

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 though the learned counsel for the petitioner 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 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



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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.I, Virudhunagar;

(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.I, Virudhunagar 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.

01.06.2026
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To

1.The Additional District Judge, Virudhunagar.

2.The Judicial Magistrate No.I, Virudhunagar.

3.Do through the Chief Judicial Magistrate,
Virudhunagar District.

4.The Sub Inspector of Police,
West Police Station,
Virudhunagar,
Virudhunagar District.

5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.