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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 26-10-2026

CORAM

THE HON'BLE MR JUSTICE R.VIJAYAKUMAR

CRL OP(MD) No. 24054 of 2026

CNR:{HCMD010750672026}

AND

CRL MP(MD) NO. 22574 OF 2026

T.Kingsly
S/o.Thankamony,
Kottiamvilai,
Mathicode,
Mathicode Post,
Kanyakumari District.

..Petitioner(s)

Vs

G.Fethalis
S/o.Gnanaprakasam,
Door No.2/2,
Opp. Mannukulam,
Mathicode Post,
Kanniyakumari District.

..Respondent(s)

PRAYER in CRL OP(MD) No. 24054 of 2026: Criminal Original petition filed under Section 528 of BNSS, to set aside the order dated 23.03.2026 passed by the Learned Principal Sessions Judge, Kanniyakumari District, at Nagercoil in Crl.MP.No.867 of 2026 in C.A.No.247 of 2025 and extend the time for the petitioner to surrender and pass such further or other orders.

PRAYER in CRL MP(MD) No. 22574 of 2026: To stay all further proceedings in CC.No.27 of 2022 dated 27.06.2025 on the files of Fast Track Court (Magisterial Level) Eraniel pending disposal of this Criminal Revision and thus render justice.

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For Petitioner(s): Mr.S.C.Herold Singh

ORDER

The present petition has been filed by the appellant in Crl.A.No.247 of 2025 on the file of the learned Principal Sessions Judge, Kanniyakumari District at Nagercoil, challenging the order passed in Crl.M.P.No.867 of 2026 dated 23.03.2026.

2. The petitioner is aggrieved by the judgment of conviction and order of sentence dated 27.06.2025 passed in C.C.No.27 of 2022 by the learned Fast Track Court (Magisterial Level), Eraniel. Challenging the same, the petitioner preferred C.A.No.247 of 2025 before the learned Principal Sessions Court, Kanniyakumari District at Nagercoil, along with a petition in Crl.M.P.No.4654 of 2025 seeking suspension of sentence. By order dated 21.01.2026, the learned Appellate Court directed the petitioner to deposit 20% of the total compensation amount as a condition precedent for suspension of sentence. However, the petitioner could not deposit the said amount on or before 12.03.2026, due to his inability to mobilise the necessary funds. Consequently, the petitioner filed Crl.M.P.No.867 of 2026, seeking extension of time to comply with the said condition. The said application was dismissed by

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the impugned order. Aggrieved by the same, the petitioner has filed the present petition.

3. The learned counsel appearing for the petitioner submitted that the petitioner has now mobilised the necessary funds and is willing to deposit the amount within a period of ten days, if an extension of time is granted.

4. Considering the aforesaid facts and circumstances, this Court is inclined to pass the following order:

(a) The petitioner is directed to deposit 20% of the total compensation amount, namely, Rs.54,000/-, before the trial Court on or before **02.11.2026.**

(b) The petitioner shall be enlarged on bail upon surrendering before the Principal Sessions Court, Kanniyakumari District at Nagercoil, on or before **06.11.2026**, and upon executing a bond for Rs.10,000/- (Rupees Ten Thousand only), with two sureties for a like sum each, to the satisfaction of the learned Fast Track Court (Magisterial Level), Eraniel.

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5. With the said observations, this Criminal Original Petition is allowed. Consequently, connected miscellaneous petition is closed.

26-10-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
gvn

To

1. The Principal Sessions Court,
Kanniyakumari District @ Nagercoil.

2. The Fast Track Court (Magisterial Level)
Eraniel.

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R.VIJAYAKUMAR J.
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and
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