

Crl.M.P.(MD)No.12385 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATED: **25.06.2026**

CORAM

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

CRL MP(MD) NO. 12385 of 2026

in

CRL RC(MD) NO. 1035 of 2026

Sundaravadivel

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Velayuthampalayam Police Station,
Karur District.

... Respondent

PRAYER: This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to suspend the sentence of imprisonment imposed by the learned District and Sessions Judge, Karur made in Crl.A.No. 133 of 2023 dated 16.07.2025 by confirming the conviction made by the learned Judicial Magistrate No.II, Karur made in CC No.189 of 2022 dated 04.07.2023 and enlarge the petitioner on bail, pending disposal of the present criminal revision petition.

For Petitioner : Mr.S.Gokulraj

For Respondent : Mr.C.Susikumar

Government Advocate



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed by the learned District and Sessions Judge, Karur in Crl.A.No.133 of 2023 dated 16.07.2025, confirming the conviction and sentence imposed by the learned Judicial Magistrate No.II, Karur in CC No.189 of 2022 dated 04.07.2023 and enlarge the petitioner on bail, pending disposal of the criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 04.07.2023, and the trial Court sentenced him to undergo simple imprisonment for a period of one year (2 counts), and also to pay a fine of Rs.2,000/-, in default to undergo three months simple imprisonment, for the offence under Section 304A of IPC and to pay a fine of Rs.500/-, in default to undergo one month simple imprisonment, for the offence under Section 279 of IPC in C.C.No.189 of 2022 on the file of the learned Judicial Magistrate No.II, Karur.

3. The learned District and Sessions Judge, Karur, confirmed the conviction, and sentence and dismissed the Criminal Appeal in Crl.A.No.133 of 2023 dated 16.07.2025. Challenging the same, the present Criminal Revision



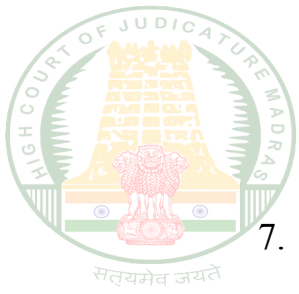
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Case has been filed before this Court along with this Criminal Miscellaneous
Petition seeking suspension of sentence.

4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses. He also submitted that the petitioner is now arrested and confined in Central Prison, Trichy.

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 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.



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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.II, 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.II, Karur, on all working days at 10.30 a.m., until further orders.

8. Mr.C.Susikumar, learned Government Advocate takes notice for the respondent.

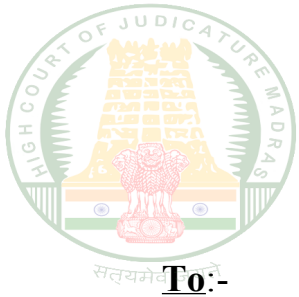
9. Post the matter after two weeks.

25.06.2026

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Note: Issue order copy on 25.06.2026.



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To:-

- 1.The District and Sessions Judge, Karur.
- 2.The Judicial Magistrate No.II, Karur.
- 3.The Inspector of Police,
Velayuthampalayam Police Station,
Karur District.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.
- 5.The Superintendent, Central Prison, Trichy.



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L.VICTORIA GOWRI, J.

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