WEB COPY



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 05.01.2026

CORAM

**THE HONOURABLE MR.JUSTICE G.K.ILANTHIRAIYAN**
**AND**
**THE HONOURABLE MS.JUSTICE R. POORNIMA**

**CRL.MP(MD) No.9108 of 2025**
**in**
**Crl.A(MD)No.165 of 2025**

Ganesan — Petitioner

Vs.

The State of Tamil Nadu
Rep. by The Inspector of Police
Gudalur North Police Station
Theni District.
Crime No.263/2020. — Respondent

Prayer : Petition filed under Section 430 (1) of BNSS to suspend the sentence of imprisonment imposed by the Principal Sessions Judge, Theni, in S.C.No.52 of 2021 by the judgment dated 08.01.2025 and enlarge the petitioner/ Appellant on bail, pending disposal of the above said criminal appeal.

For Petitioner : Mr.S.Mahendrapathy
For Respondent : Mr.R.M.Anbunithi,
Additional Public Prosecutor



https://www.mhc.tn.gov.in/judis

WEB COPY



**O R D E R**

**[Order of the Court was made by G.K.ILANTHIRAIYAN, J.]**

Seeking to suspend the sentence imposed on the petitioner by the Principal Sessions Judge, Theni, *vide* Judgment dated 08.01.2025 in S.C.No.52 of 2021, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

| Section of Law | Sentence of imprisonment | Fine amount |
|---|---|---|
| 302 IPC | Life Imprisonment | Rs.5,000/- i/d to undergo one month simple Imprisonment |
| 341 IPC | One month simple imprisonment | - |
| 294(b) IPC | One month simple imprisonment | - |

3. Heard the learned counsel on either side and perused the materials available on record.



https://www.mhc.tn.gov.in/judis

WEB COPY



4. Considering the period of incarceration suffered by the petitioner/Appellant and that there are several arguable points and further the appeal is of year 2025 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

5. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal Sessions Judge, Theni.

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 passbook to ensure their identity.

iii. The petitioner shall appear and sign before the trial



https://www.mhc.tn.gov.in/judis

WEB COPY



Court on the first working day of every English calender month at 10.30 a.m., till the disposal of the Criminal Appeal.

**[G.K.I., J.] & [R.P., J.]**
**05.01.2026**

rm

Copy to

1.The Principal Sessions Judge, Theni.

2.The Inspector of Police
Gudalur North Police Station
Theni District.

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



https://www.mhc.tn.gov.in/judis

WEB COPY



**G.K.ILANTHIRAIYAN , J.**
**AND**
**R.POORNIMA, J.**

rm

**CRL.MP(MD) No.9108 of 2025**
**in**
**Crl.A(MD)No.165 of 2025**

**05.01.2026**



https://www.mhc.tn.gov.in/judis