



**CrL.M.P.(MD) No.9381 of 2025**

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**BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT**

**DATED : 06.01.2026**

**CORAM**

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

**CRL.MP(MD) No.9381 of 2025  
in  
CrL.A(MD)No.232 of 2025**

Mutharasan

..... Petitioner

**Vs.**

State through the  
The Inspector of Police,  
Sivakasi East Police Station,  
Virudhunagar District,  
In Crime No.129/2015.

..... Respondent

Prayer : Petition filed under Section 430(1) of BNSS to suspend the sentence in S.C.No.180 of 2015, dated 27.11.2024, on the file of the Additional District and Sessions Court, Srivilliputhur and enlarge the appellant on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.K.Suyambulingabharathi  
For Respondent : Mr.R.M.Anbunithi  
Additional Public Prosecutor



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## **ORDER**

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

Seeking to suspend the sentence imposed on the petitioner by the Additional District and Sessions Court, Srivilliputhur, *vide* Judgment dated 27.11.2024 in S.C.No.180 of 2015, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

| Section of Law | Sentence of imprisonment         | Fine amoun                                                                  |
|----------------|----------------------------------|-----------------------------------------------------------------------------|
| 341 IPC        | One month simple imprisonment    |                                                                             |
| 294(b) IPC     | Three months simple imprisonment |                                                                             |
| 302 IPC        | Life Imprisonment                | To pay a fine of Rs. 10,000/- in default one year rigorous imprisonment     |
| 506(ii) IPC    | Five years Rigorous Imprisonment | To pay a fine of Rs. 1,000/- in default three months rigorous imprisonment. |

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



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4. Considering the period of incarceration suffered by the petitioner 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 Additional District and Sessions Judge, Srivilliputhur.

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.



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iii. The petitioner shall appear and sign before the trial 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.]**  
**06.01.2026**

NCC : Yes / No  
Index : Yes / No  
am

Copy to

- 1.The Additional District and Sessions Court,  
*Srivilliputhur*
- 2.The Inspector of Police,  
Sivakasi East Police Station,  
Virudhunagar District,
3. The Additional Public Prosecutor  
Madurai Bench of Madras High Court,  
Madurai.



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**AND**  
**R.POORNIMA, J.**

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