



Crl.M.P.(MD) No.10182 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 07.01.2026

CORAM

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

**CRL.MP(MD) No.10182 of 2025
in
Crl.A(MD)No.825 of 2025**

Muthaiah

..... Petitioner

Vs.

State of Tamilnadu,
Rep.by Inspector of Police,
Rajapalayam South Police Station,
Virudhunagar District.
Cr.No.20 of 2017.

..... Respondent

Prayer : Petition filed under Section 430 of BNSS to suspend the sentence imposed by the Additional District and Sessions Court, Virudhunagar District at Srivilliputhur in S.C.No.123 of 2017, dated 30.08.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.S.Maya Perumal
For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor



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ORDER

[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, Virudhunagar District at Srivilliputhur, *vide* Judgment dated 30.08.2024 in S.C.No.123 of 2017, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
323 (2 counts) IPC	One year Rigorous Imprisonment	Rs.500/- i/d to undergo one month Rigorous Imprisonment
302 r/w 34 IPC	Life Imprisonment	Rs.10,000/- i/d to undergo one year 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 Additional District and Sessions Court, Virudhunagar District at 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., until further orders.

[G.K.I., J.] & [R.P., J.]
07.01.2026

NCC : Yes / No
Index : Yes / No
am

Copy to

- 1.The Additional District and Sessions Court,
Virudhunagar District at Srivilliputhur
- 2.The Inspector of Police,
Rajapalayam South 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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