



**CrL.M.P.(MD) No.9872 of 2025**

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

**WEB COPY**

**DATED: 05.01.2026**

**CORAM**

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

**CRL.MP(MD) No.9872 of 2025  
in  
CrL.A(MD)No.807 of 2025**

**Somasundaram : Petitioner/A1  
Vs.**

**State of Tamil Nadu,  
through Inspector of Police,  
Kulasekarapattinam Police Station,  
Thoothukudi District.  
(Crime No.32/2017)**

**: Respondent/Complainant**

**Prayer: Criminal Miscellaneous Petition filed under Section 430 of BNSS to suspend the sentence imposed by the 2<sup>nd</sup> Additional District and Sessions Judge, Thoothukudi, in SC No.193 of 2019, dated 04/07/2025 and enlarge the petitioner on bail, till the disposal of the criminal appeal.**

**For Petitioner : Mr.Ka.Raamakrishnan**

**For Respondent : Mr.R.M.Anbunithi  
Additional Public Prosecutor**



**CrL.M.P.(MD) No.9872 of 2025**

WEB COPY

**ORDER**

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

This criminal miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner by the 2<sup>nd</sup> Additional District and Sessions Judge, Thoothukudi, in S.C.No.193 of 2019, dated 04/07/2025 and to enlarge the petitioner on bail pending disposal of the criminal appeal.

2.The petitioner stands convicted and sentenced as under:-

| Section of Law  | Sentence of imprisonment | Fine amount                                   |
|-----------------|--------------------------|-----------------------------------------------|
| 302 IPC         | Life Imprisonment        | Rs.5,000/-, in default to undergo 6 months SI |
| 120(B)(1) IPC   | Two years RI             | -                                             |
| 201 IPC         | Seven years RI           | Rs.1,000/-, in default to undergo 6 months SI |
| 406 and 406 IPC | 3 years RI               | -                                             |

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

4.The petitioner has made out a *prima facie* case to grant suspension of sentence, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.



**CrL.M.P.(MD) No.9872 of 2025**

5. Accordingly, the Criminal Miscellaneous Petition is **allowed** and the substantive sentence of imprisonment alone imposed on the petitioner 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 **II Additional District and Sessions Judge, Tuticorin.**

(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 Court at 10.30 am, on the first working day of every English Calendar month till the disposal of the Criminal Appeal.

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

NCC : Yes / No  
Index : Yes / No  
er



WEB COPY



**CrL.M.P.(MD) No.9872 of 2025**

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

er

To,

- 1.The II Additional District and Sessions Judge,  
Thoothukudi.
- 2.The Inspector of Police,  
Kulasekarapattinam Police Station,  
Thoothukudi District.
3. The Superintendent,  
Central Prison, Palayamkottai.
- 4.The Additional Public Prosecutor  
Madurai Bench of Madras High Court,  
Madurai.

**CRL.MP(MD) No.9872 of 2025**  
**in**  
**CrL.A(MD)No.807 of 2025**

**05.01.2026**