



Crl.MP(MD)Nos.301 and 302 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **08.01.2026**

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THE HONOURABLE **MR.JUSTICE MOHAMMED SHAFFIQ**

Crl.MP(MD)Nos.301 and 302 of 2026

in

Crl.RC.(MD)No.20 of 2026

Mr.T.Paulian

... Petitioner

Vs.

The State of Tamilnadu,
Rep., by the Inspector of Police,
Commercial Crime Investigation Wing (CCIW),
Nagercoil,
(Crime No.4 of 1993)

... Respondent

PRAYER in Crl.M.P.(MD).No.301 of 2026 :-

To Suspend the Sentence passed by the learned Sessions Fast Track Mahila Court, Kanniyakumari District at Nagercoil in C.A.No.111 of 2023 dated 25.07.2024, by confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate Court No.II, Tirunelveli, in C.C.No.12 of 1995 dated 08.08.2003 pending disposal of the main criminal revision petition.

1/8



Crl.MP(MD)Nos.301 and 302 of 2026

PRAYER in Crl.M.P.(MD).No.302 of 2026 :-

To Exempt from surrendering before the trial court pertaining to the impugned judgment of conviction and sentence passed by the learned Sessions Fast Track Mahila Court, Kanniyakumari District at Nagercoil in C.A.No.111 of 2023 dated 25.07.2024, by confirming the judgment of conviction and sentence passed by the learned Judicial Magistrate Court No.II, Tirunelveli, in C.C.No.12 of 1995 dated 08.08.2003 pending disposal of the main criminal revision petition.

For Petitioner	:	Mr.R.Murugan
For Respondent	:	Mr.A.Thiruvadi Kumar Additional Public Prosecutor

ORDER

Heard Mr.R.Murugan, learned counsel appearing for the petitioner and Mr.A.Thiruvadi Kumar, learned Additional Government Pleader, who accepts notice on behalf of the respondent.

2. This Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate Court No.II, Tirunelveli in C.C.No.12 of 1995 dated 08.08.2003, which was confirmed by the learned Sessions Fast Track



Crl.MP(MD)Nos.301 and 302 of 2026

Mahila Court, Kanniyakumari District at Nagercoil in C.A.No.111 of 2023 dated 25.07.2024 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for the petitioner would submit that the petitioner was convicted by the learned Judicial Magistrate Court No.II, Tirunelveli for the offences punishable under Sections 120(B), 467(15 numbers), 471(15 numbers), 477(A)(15 numbers) and 408(15 numbers) of IPC and sentenced him to undergo rigorous imprisonment for one year each and to pay a fine of Rs.6,100/-, in default and to undergo three months rigorous imprisonment. Aggrieved petitioner filed Criminal Appeal No.111 of 2003, before the learned Sessions Fast Track Mahila Court, Kanniyakumari District at Nagercoil and the lower Appellate Court vide order dated 25.07.2024, dismissed the appeal confirming the judgment passed by the learned Judicial Magistrate Court No.II. Tirunelveli. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.20 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



Crl.MP(MD)Nos.301 and 302 of 2026

WEB COPY

4. Learned Counsel for petitioner would further submit that there was no evidence if the petitioner forged signature of the borrower nor does the expert evidence reveal that the petitioner had forged signatures in the loan document. He would also submit that the petitioner is a senior citizen aged about 82 years and has also raised other substantial grounds in above revision, which requires consideration. Further, in respect of the co-accused, this Court has already suspended the sentence in Crl.MP.(MD).No.10201 of 2024 and hence, he prayed for granting suspension of sentence and bail to petitioner.

5. Learned Additional Public Prosecutor appearing for the respondent has opposed the submissions made by the learned counsel for the petitioner and submits that the judgments passed by both the Courts are as per law after considering the entire evidence, thus the relief sought by the petitioner at this stage be refused by this Court.



Crl.MP(MD)Nos.301 and 302 of 2026

6. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

i) The petitioner is directed to be enlarged on bail on his executing 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 Court No.II, Tirunelveli;

ii) The petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

iii) The petitioner shall appear and sign before the learned Judicial Magistrate Court No.II, Tirunelveli, on the first working day of every English calendar month at 10.30 a.m., until further orders;

iv) In case, if the petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



Crl.MP(MD)Nos.301 and 302 of 2026

under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

7. Accordingly, these Criminal Miscellaneous Petitions are ordered.

**08.01.2026
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Crl.MP(MD)Nos.301 and 302 of 2026

WEB COPY To:

1. The Judicial Magistrate Court No.II, Tirunelveli
2. The Sessions Fast Track Mahila Court, Kanniyakumari District at
Nagercoil
3. The Inspector of Police,
Commercial Crime Investigation Wing (CCIW),
Nagercoil,
(Crime No.4 of 1993) .
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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Crl.MP(MD)Nos.301 and 302 of 2026

MOHAMMED SHAFFIQ, J.

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Crl.MP(MD)Nos.301 and 302 of 2026
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Crl.RC.(MD)No.20 of 2026

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(1/2)