



CRL MP(MD). Nos.142 & 143 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **06/01/2026**

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.142 & 143 of 2026
in
CRL RC(MD)No.12 of 2026

Chandran
S/o.Palani

... Petitioner

Vs

State Of Tamilnadu Rep
By Inspector Of Police,
Govt. Hospital Police Station
Tiruchirappalli
Crime No.155/2012

... Respondent

PRAYER in Crl.M.P.(MD).No.142 of 2026 :-

To suspend the sentence imposed in the judgment dated 29.08.2025 in Crl.A.No.134/2018 on the file of the I Additional District and Sessions Court(PCR), Tiruchirappalli modifying the conviction and sentence imposed in CC.No.199/2012 on the file of the Judicial Magistrate No.IV, Trichy dated 16.10.2018.

PRAYER in Crl.M.P.(MD).No.143 of 2026 :-

To exempt from surrender in connection with judgment 29.08.2025 in Crl.A.No.134/2018 on the file of the I Additional District and Sessions Court(PCR), Tiruchirappalli modifying the conviction and sentence imposed in CC.No.199/2012 on the file of the Judicial Magistrate No.IV, Trichy dated 16.10.2018.



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For Petitioner : Mr.N.Ananda Kumar

For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor

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ORDER

Heard Mr.N.Ananda Kumar, learned Counsel for petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor, who accepts notice on behalf of Respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed on petitioner by Judicial Magistrate No.IV, Trichy, in C.C. No.199 of 2012 dated 16.10.2018, which was modified by I Additional District and Sessions Judge, (PCR), Trichy in Crl.A.No.134 of 2018 dated 29.08.2025 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.IV, Trichy, for offences punishable under Sections 324 & 506(ii) of IPC in C.C.No.199 of 2012, dated 16.10.2018 and sentenced as follows:



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(i) to undergo two years of Simple Imprisonment for offences under section 324 of IPC

(ii) to undergo one year simple imprisonment for offences under section 506(ii) of IPC.

4. Aggrieved, petitioner filed Crl.A.No.134 of 2018, before I Additional District and Sessions Court (PCR), Trichy and the lower Appellate Court vide order dated 29.08.2025 dispose of the appeal. The relevant portion of the said order is extracted as such :

"i) This Criminal Appeal is partly allowed

ii) The conviction and sentence passed by the Learned Judicial Magistrate No.IV, Tiruchirappalli, in C.C.No.199 of 2012 dated 16.10.2018, is set aside in respect of the conviction under Section 506(ii) of IPC.

iii) The sentence of two years imposed under Section 324 of IPC by the Trial Court is modified to one year.

iv) The appellant shall surrender before the Learned Judicial Magistrate No.IV, Tiruchirappalli, within 15 days from today. Failing which, the Trial Court shall take appropriate steps to secure the appellant to serve the modified sentence."



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5. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.12 of 2026 before this Court along with instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.

6. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that he has also paid fine amount as per the order of the trial Court. He further submitted that there are discrepancies in the evidence, inasmuch as during the examination of P.W.1, he stated that the assault was committed with a weapon, whereas no weapon was involved, and that P.W.2 could not have been an eyewitness, inasmuch as his presence was not mentioned by P.W.1 either in the complaint or in his evidence before the trial court. Hence, he prayed for granting suspension of sentence and bail to petitioner.

7. Learned Additional Public Prosecutor appearing for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioners at this stage be refused by this Court.



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8. 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 also 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 above Criminal Revision:

i) Petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the Judicial Magistrate No.IV, Trichy.

ii) 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) Petitioner shall appear and sign before the Judicial Magistrate No.IV, Trichy, on the first working day of every month at 10.30 a.m., until the disposal of revision;

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



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

9. Accordingly, these Criminal Miscellaneous Petitions are ordered.

06.01.2026

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To

1.The I Additional District and Sessions Court,(PCR),
Trichy.

2. The Judicial Magistrate No.IV,
Trichy.

3. The Inspector of Police,
Government Hospital Police Station,
Tiruchirappalli.

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

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MOHAMMED SHAFFIQ, J

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ORDER
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in
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Date : 06/01/2026
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