



CrI.M.P.(MD) No.20209 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 28.01.2026

CORAM

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

**CRL.MP(MD) No. 20209 of 2025
in
CrI.A(MD)No.1363 of 2025**

1. Santhosh
2. Amaresh

..... Petitioners

Vs.

State rep. by
1. The Inspector of Police
Taluk Police Station,
Thanjavur District
(Crime No.951 of 2021)

2. Mynavathi

..... Respondents

Prayer : Petition filed under Section 430(1) of BNSS to suspend the sentence passed in S.C.No.20 of 2022 dated 04.08.2025 on the file of the learned II Additional District and Sessions Judge, Thanjavur pending disposal of the above Criminal Appeal

For Petitioners : M/s.S.Karpagapriya



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For R-1

: Mr.R.M.Anbunithi

Additional Public Prosecutor

ORDER

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

Seeking to suspend the sentence imposed on the petitioners by the learned II Additional District and Sessions Judge, Thanjavur , *vide* Judgment dated 04.08.2025 in S.C.No.20 of 2022,the present Criminal Miscellaneous Petition has been filed.

2. The petitioners stand convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
364 of IPC	Three years rigorous imprisonment	Rs.3,000/- i/d to undergo six months rigorous imprisonment
302r/w.34 of IPC	Life Imprisonment	Rs.10,000/- i/d to undergo two 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 petitioners 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, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioners.

5.. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioners herein is suspended, subject to the following conditions:

i. The petitioners are directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Thanjavur

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 petitioners shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calender month, till the disposal of the Criminal Appeal.

[G.K.I., J.] & [R.P., J.]
28.01.2026

NCC : Yes / No

Index : Yes / No

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Copy to

1. The II Additional District and Sessions Judge, Thanjavur

2. The Superintendent
Central Prison, Trichy

3. The Inspector of Police
Taluk Police Station,
Thanjavur District

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



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AND
R.POORNIMA, J.

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