



CRL MP(MD) NO. 20662 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.01.2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NO. 20662 of 2025

IN

CRL RC(MD) NO. 1675 OF 2025

Murugesan

Petitioner(s)

Vs

State of Tamil Nadu rep. By,
The Inspector of Police,
Vachakarapatti Police Station,
Virudhunagar District.
(Crime No.108 of 2011)

Respondent(s)

For Petitioner(s):

Mr.T.Lenin Kumar

For Respondent(s):

Mr.A.Thiruvadikumar

Additional Public Prosecutor

Prayer:

To suspend the sentence imposed upon the petitioner in Additional District and Sessions Court, Virudhunagar in Crl.A.No.35 of 2021 dated 20.08.2025 confirming the conviction and sentence imposed by the learned Judicial Magistrate No.I, Virudhunagar in C.C.No.136 of 2011 dated 06.10.2021 and enlarge him on bail pending disposal of the main Criminal Revision Case.

ORDER

Heard Mr.T.Leninkumar, learned counsel for petitioner and Mr.A.Thiruvadikumar, learned Additional Public Prosecutor appearing for the respondent.



2. Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed on petitioner by Judicial Magistrate No.I, Virudhunagar in C.C.No.136 of 2011 dated 06.10.2021, which was confirmed by Additional District and Sessions Court, Virudhunagar in CrI.A.No.35 of 2021 dated 20.08.2025.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.I, Virudhunagar for offences under Sections 342, 326 and 506(ii) of IPC and sentenced as follows:

(i) to pay a fine of Rs.1000/-, in default to undergo one month simple imprisonment for the offence under Section 342 of IPC;

(ii) to undergo two years rigorous imprisonment and to pay a fine of Rs.100/-, in default, to undergo one week rigorous imprisonment for the offence under Section 326 of IPC;

(iii) to undergo one year rigorous imprisonment for the offence under Section 506(ii) of IPC.

The Trial Court also ordered the sentence to run consecutively.

3.1. Aggrieved, petitioner filed Criminal Appeal No.35 of 2021 before Additional District and Sessions Judge, Virudhunagar and lower Appellate Court vide order dated 20.08.2025 dismissed the appeal confirming the judgment passed



by Trial Court, however, sentence ordered by Trial Court to run consecutively was modified by lower Appellate Court to run concurrently. Aggrieved, petitioner filed present Criminal Revision Petition in CrI.RC(MD)No.1675 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence and bail.

4. Learned Counsel for petitioner would further submit that petitioner has a good case *inter alia* stating that there was delay in lodging the FIR; there were contradictions as to the place of occurrence in the evidence of P.W.1 to P.W.8; that medical evidence is contrary to prosecution version and while prosecution alleges use of dangerous weapon, the medical records would suggest that injuries are simple in nature. He would further submit that petitioner has raised other substantial grounds in above revision, which requires consideration; and that he also paid fine amount as per the order of trial Court. Hence, he prayed for granting suspension of sentence and bail to petitioner.

5. 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 petitioner at this stage be refused by this Court.



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 also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and bail, 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) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Virudhunagar;

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 Judicial Magistrate No.I, Virudhunagar, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if 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.

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



7. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

WEB COPY

09.01.2026

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To

- 1.The Additional District and Sessions Court,
Virudhunagar.
- 2.The Judicial Magistrate No.1,
Virudhunagar.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court.