



Crl.M.P.(MD)No.20789 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: **15.06.2026**

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THE HONOURABLE **MRS JUSTICE L.VICTORIA GOWRI**

CRL MP(MD) NO. 20789 of 2025

in

CRL RC(MD) NO. 1689 of 2025

Murugan

... Petitioner

Vs.

The State of Tamilnadu,
Rep. by the Inspector of Police,
Koomapatti Police Station,
Srivilliputhur,
Virudhunagar District.

... Respondent

PRAYER: This Criminal Miscellaneous Petition is filed under Section 377(1) of Cr.P.C., (U/s. 438(i) of BNSS) to suspend the sentence passed by the learned Chief Judicial Magistrate, Srivilliputhur, Viruthunagar District in SC No.26 of 2019 dated 16.11.2022 confirmed by the learned Principal District and Sessions Judge, Srivilliputhur, Viruthunagar District in Criminal Appeal No.176 of 2022 dated 06.11.2025, enlarge the revision petitioner on bail pending disposal of the present criminal revision petition.

For Petitioner : Mr.C.R.Malarvannan

For Respondent : Mr.C.Susikumar

Government Advocate



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ORDER

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This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed by the learned Principal District and Sessions Judge, Srivilliputhur, Viruthunagar, in Criminal Appeal No.176 of 2022 dated 06.11.2025, confirming the conviction and sentence imposed by the learned Chief Judicial Magistrate, Srivilliputhur, Viruthunagar District in SC No.26 of 2019 dated 16.11.2022 and enlarge the petitioner on bail, pending disposal of the criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 16.11.2022, and the trial Court sentenced him to undergo simple imprisonment for a period of one year under Section 341 IPC and also to undergo rigorous imprisonment for a period of seven years under Section 307 IPC and also to pay a fine of Rs.2,000/-, in default to undergo one month simple imprisonment, concurrently, in SC No.26 of 2019 on the file of the learned Chief Judicial Magistrate, Srivilliputhur, Viruthunagar District. He also submitted that the petitioner surrendered before the respondent police on 09.06.2026.

3. The learned Principal District and Sessions Judge, Srivilliputhur, Viruthunagar District, confirmed the conviction, and sentence and dismissed



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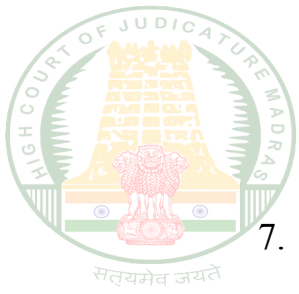
the Criminal Appeal in Criminal Appeal No.176 of 2022 dated 06.11.2025.

Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future and as such, and also considering the fact that the petitioner has good chance of succeeding in the revision petition, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.



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7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions:

(i) The petitioner shall execute 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 Chief Judicial Magistrate, Srivilliputhur, Viruthunagar District;

(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 Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned Chief Judicial Magistrate, Srivilliputhur, Viruthunagar District, on all working days at 10.30 a.m., until further orders.

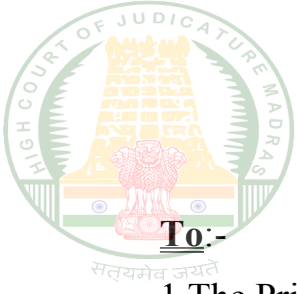
8. Mr.C.Susikumar, learned Government Advocate takes notice for the respondent.

9. Post the matter after four weeks.

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Note: Issue order copy on 15.06.2026.

15.06.2026
(2/3)



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To:-

1. The Principal District and Sessions Judge, Srivilliputhur,
Viruthunagar District.
2. The Chief Judicial Magistrate, Srivilliputhur, Viruthunagar District.
3. The Inspector of Police,
Koomapatti Police Station,
Srivilliputtur, Virudhunagar District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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L.VICTORIA GOWRI, J.

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