



Crl.MP(MD)Nos.20779 and 20780 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.02.2026

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.20779 and 20780 of 2025

in

Crl.RC.(MD)No.1686 of 2025

Gomathi Shankar

... Petitioner in both

Vs.

State Of Tamilnadu Rep By,
The Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.
Crime No.14 of 2015

... Respondent in both

PRAYER in Crl.M.P.(MD).No.20779 of 2026 :-

To suspend the sentence imposed by the Learned Principal District and Sessions Court, Ramanathapuram in C.A.No.21 of 2024 dated 11.08.2025 confirming the order of conviction in S.C.No.44 of 2018 dated 27.02.2024 passed by the learned Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram, pending disposal of the criminal revision petition.



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PRAYER in Crl.M.P.(MD).No.20780 of 2025 :-

To grant exemption from surrendering to the petitioner in CA.No.21/2024 dated 11.08.2025 on the file of the Principal District and Sessions Court, Ramanathapuram confirming the order of conviction in SC.No.44/2018 dated 27.02.2024 on the file of Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram and enlarge the petitioner on bail.

For Petitioner	:	Mr.K.Sathish Kumar
For Respondent	:	Mr.A.Thiruvadi Kumar
		Additional Public Prosecutor

ORDER

Heard Mr.K.Sathish Kumar, learned counsel for petitioner and Mr.A.Thiruvadi Kumar, learned Additional Public Prosecutor for respondent.

2. Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed on petitioner by Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram vide order dated 27.02.2024 in S.C.No.44 of 2018, which was confirmed by Principal District and Sessions Court, Ramanathapuram in Crl.A.No.21 of 2024, vide order dated 11.08.2025.



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3. Learned counsel for petitioner would submit that petitioner was convicted by Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram, for offences punishable under Sections 364 and 395 of IPC in S.C.No.44 of 2018 dated 27.02.2024 and sentenced as follows:-

(i) to undergo seven years rigorous imprisonment and to pay a fine of Rs.1000/-, in default to undergo two months simple imprisonment for offence under section 364 of IPC;

(ii) to undergo seven years rigorous imprisonment and to pay a fine of Rs.1000/-, in default to undergo two months simple imprisonment for offence under Section 395 of IPC.

4. Aggrieved, petitioner filed Criminal Crl.A.No.21 of 2024, before Principal District and Sessions Court, Ramanathapuram and the lower Appellate Court vide order dated 11.08.2025, dismissed the appeal and confirmed the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.1686 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence, bail and to exempt the petitioner from surrender.



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5. Learned Counsel for petitioner would submit that this Court vide order dated 02.02.2026 in Crl.RC(MD).No.1686 of 2026 directed petitioner to surrender before Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram on 10.02.2026, in view of the fact that NBW was pending as against the petitioner. In compliance of the above order, petitioner had surrendered before Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram on 10.02.2026, and the same was confirmed by learned Additional Public Prosecutor (Crl.side).

6. He would further submit that during the course of trial, petitioner was in confinement for over 208 days; and that he has raised other substantial grounds in the 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, bail and exemption from surrender.



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7.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 Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram.

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 Assistant Sessions Judge/Chief Judicial Magistrate, Ramanathapuram, 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 said 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 said Court on any other day in lieu of the date of his absence, as directed by the said Court.

8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

19.02.2026
(1/2)

rgm



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To:

1. The Assistant Sessions Judge/Chief Judicial Magistrate,
Ramanathapuram.
2. The Principal District and Sessions Court, Ramanathapuram
3. The Inspector of Police,
Kovilangulam Police Station,
Ramanathapuram District.
Crime No.14 of 2015
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

rgm

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in
Crl.RC.(MD)No.1686 of 2025

Dated: 19.02.2026
(1/2)