



CrL.M.P.(MD) No.892 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 26.02.2026

CORAM

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

**CRL.MP(MD) No.892 of 2026
in
CrL.A(MD)No.65 of 2026**

D.Kalimuthu

..... Petitioner

Vs.

**State rep. by
The Inspector of Police
Teppakulam Police Station,
Madurai City.
In Crime No.1258 of 2011.**

..... Respondent

**Prayer : Petition filed under Section 430 of BNSS to suspend the sentence
in S.C.No.94 of 2014, dated 28.08.2025, on the file of the V Additional
District and Sessions Court, Madurai, pending disposal of the above
Criminal Appeal.**

**For Petitioner : Mr.V.Kathirvelu, Senior Counsel
Mr.Mahendra Prabu.M**

**For Respondent : Mr.R.Meenakshi Sundaram
Additional Public Prosecutor**



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ORDER

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

Seeking to suspend the sentence imposed on the petitioner by the V Additional District and Sessions Court, Madurai, *vide* Judgment dated 28.08.2025 in S.C.No.94 of 2014, he has filed this Criminal Miscellaneous Petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amoun
449 of IPC	Ten years Rigorous Imprisonment	Rs.5,000/- i/d to undergo one year Rigorous Imprisonment
392 IPC	Ten years Rigorous Imprisonment	Rs.5,000/- i/d to undergo one year Rigorous Imprisonment
120(b) of IPC	Life Imprisonment	Rs.5,000/- i/d to undergo one year Rigorous Imprisonment
302 of IPC (2 count)	Double life imprisonment	Rs.5,000/- each i/d to undergo one year Rigorous Imprisonment each



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3. Heard the learned counsel on either side and perused the materials available on record.

4. Considering the period of incarceration suffered by the petitioner and that there are several arguable points and further the appeal is of year 2026 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, hence we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

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

- i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned V Additional District and Sessions Judge, Madurai.



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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.

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

[G.K.I., J.] & [R.P., J.]
26.02.2026

NCC : Yes / No
Index : Yes / No
Indu

Copy to

- 1.The V Additional District and Sessions Court,
Madurai.
- 2.The Inspector of Police
Teppakulam Police Station,
Madurai City.
- 3.The Additional Public Prosecutor
Madurai Bench of Madras High Court,
Madurai.



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AND
R.POORNIMA, J.

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