



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03-08-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

**CRL MP No. 13191 of 2026
in Crl.RC.No.1523 of 2026**

D.Sarangapani
Son of Devarossu

..Petitioner(s)

Vs

The State, Represented by
The Station House Officer,
CBCID, Police Station,
Through Public Prosecutor, Puducherry.

..Respondent(s)

Prayer: To SUSPEND THE SENTENCE imposed upon the Petitioner vide the impugned Judgment dated 23.11.2023 passed in CC.No.646 of 2020 by the Learned Chief Magistrate at Puducherry, by partly allowed the Criminal Appeal and confirmed the conviction and sentence imposed upon the petitioner for the offences punishable under section 419,468 and 471 of IPC by the Learned III Additional Sessions Judge at Puducherry vide its impugned Judgment dated 05.06.2026 passed in Criminal Appeal No.02 of 2024, pending disposal of the Criminal Revision Petition and Enlarged the petitioner on bail and pass such further or other Orders as this Honble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

For Petitioner(s): MR.A.Arvindan For
M/s.Arulselvam Associates

For Respondent(s): Mr.A.Alexander
Government Advocate(Crl side)
Pondicherry

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the Revision Petitioner to suspend the sentence imposed upon the Petitioner vide the impugned Judgment dated 23.11.2023 passed in CC.No.646 of 2020 by the Learned Chief Magistrate at Puducherry, by partly allowed the Criminal Appeal and confirmed the conviction and sentence imposed upon the petitioner for the offences punishable under sections 419, 468 and 471 of IPC by the Learned III Additional Sessions Judge at Puducherry vide its impugned Judgment dated 05.06.2026 passed in Criminal Appeal No.02 of 2024.

2. By the impugned judgement of conviction and sentence and order of the learned Appellate Court, the Revision Petitioner was convicted and sentenced for the offence as follows:

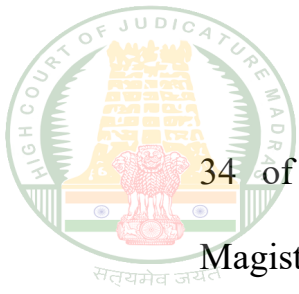
Petitioner	Conviction	Sentence
Accused No.2	Under Sections 419, 468 and 471	To undergo rigorous imprisonment for a period of one year and to pay the fine of Rs.5000/- in default, to undergo four week Simple Imprisonment for the offence under Section 419 of IPC. To undergo rigorous imprisonment for a period of four years and to pay the fine of Rs.5000/- in default, to undergo four week Simple Imprisonment for the offence under Sections 468 and 471 of IPC.



3. Challenging the above said judgement of conviction and sentence and order, the Revision Petitioner has filed the above Crl.RC.No.1523 of 2026, along with the instant Criminal Miscellaneous Petition, seeking suspension of sentence and bail pending disposal of the Criminal Revision.

4. This Court heard Mr. A.Aravindan, learned counsel for the Revision Petitioner and Mr.A.Alexander, learned Government Advocate (Crl. side)(P) and considered the submissions and also perused materials placed before this Court.

5. The case of the prosecution is that on 09.01.2014, the first accused with the help of the present petitioner/A2, infartherance of common intention impersonated himself as defacto complainant N.Madhivanan S/o. Nadhamuni, prepared forged documents and submitted the documents such as Election Photo Identity Card and Aadhar Card to the French Consulate, Puducherry to obtain the French Nationality papers of the complainant and thereby, committed cheating and using as genuine a forged document, thereby committed the offence and the investigating officer after investigation filed the final report charging the accused for the offence under Section 419, 420, 467, 468 and 471 of IPC read with 511 of IPC read with 34 of IPC. Therefore, the petitioner/accused was charged for the offence under Sections 419, 420, 467, 468 and 471 of IPC read with 511 of IPC read with



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34 of IPC in CC.No.646 of 2020, before the learned Chief Judicial Magistrate, Puducherry. On 23.11.2023, the learned Chief Judicial Magistrate, Puducherry, disposed the case and found the accused guilty of the offence under Section 419, 420, 468 and 471 of IPC. Challenging the said judgement, the petitioner has filed appeal before the learned II Additional sessions Judge, Puducherry. The learned appellate Judge, has set aside the conviction and sentence only in respect of the section 420 of IPC and confirmed the other offences.

6. The learned counsel for the Revision Petitioner has submitted that the judgment of the learned Appellate Court confirming the conviction of the petitioners under Sections 419, 469 and 471 of IPC, while acquitting the petitioner only for the charge under Section 420 of IPC, is contrary to law, the evidence on record and the settled principles governing criminal jurisprudence. The findings recorded by the Courts below are perverse, unsupported by legal evidence and have resulted in grave miscarriage of justice Hence, the trial court and the lower appellate Court's judgment is liable to be set aside.

7. The learned counsel for the petitioner further submitted that the petitioner/A2 vix., Sarangapani has also involved in another case in Cr.No.11 of 2014 for the offences under Section 468, 471, 419, 420 of IPC read with

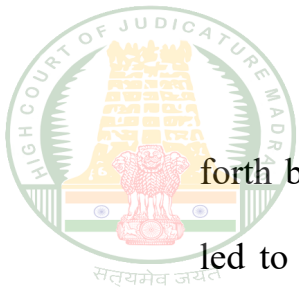


Section 34 IPC on the file of the CBCID, Puducherry. The learned Chief Judicial, Magistrate, Puducherry has acquitted the petitioner vide order dated 12.03.2024 in CC.No.513 of 2020.

8. It was further argued that the learned Trial Court as well as appellate Court also failed to notice the discrepancies in the deposition of witnesses and the crystal part of the evidences that was not at all assessed by both the Courts below. It was further argued that the judgment passed by both the Courts below was based on surmises and conjectures without considering the entire evidence on record.

9. It is further argued that due to pendency of the criminal cases before this High Court, there is a blinking chance that in the near future, this Criminal Revision Case will be finally heard and decided. It is further submitted that the petitioner is now confined in jail and there are arguable points in this Criminal Revision Case and the Revision Petitioner has a fair chance of success in this Criminal Revision Case. Thus, the learned counsel for the Revision Petitioner has prayed for suspension of sentence and bail, till the disposal of this Criminal Revision Petition.

10. Several other submissions in order to demonstrate the falsity of the allegations made against the Revision Petitioner have also been placed



forth before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been touched upon at length. It has been assured on behalf of the Revision Petitioner that he is ready to cooperate with the process of law and shall faithfully make himself available before the Court, whenever required and is also ready to accept all the conditions, which the Court may deem fit to impose upon him. The Revision Petitioner undertakes that in case he is released on bail, he will not misuse the liberty of bail and will cooperate in disposal of Revision.

11. The learned Government Advocate has opposed the argument advanced by the learned counsel for the Revision Petitioner and submits that the judgements passed by the Courts below are as per the law after considering the entire evidences and thus, the relief sought by the Revision Petitioner at this stage, be refused by this Court.

12. Considering the arguments advanced by the learned counsel for the Revision Petitioner, this Court is of the view that the Trial Court has failed to appreciate the evidence on record and the judgment was passed without considering the entire materials place before it and during the Trial the Revision Petitioner was also on bail **and now the petitioner is in jail.**

13. Further, it is observed that when the accused have been under



incarceration for sometime and when there are points in the Revision, which favour the accused, then the Courts should not shy from granting suspension of sentence, as the liberty of the individual would be at stake, if the revision results in acquittal at a later point of time. In this regard, the decision of the Hon'ble Supreme Court of India, in the case of ***Rabi Prakash Vs. The State of Odhisha reported in 2023 Live Law (SC) 533*** is of relevance.

14. The Revision Petitioner has raised substantial grounds in the Revision, which require detailed appraisal. Further, the Revision is not likely to be taken up in the near future and the petitioner has been now confined in prison. In such view of the matter, this Court is of the view that the Revision Petitioner is entitled to the relief of suspension of sentence and bail.

15. Accordingly, pending the Criminal Revision Case, the relief of suspension of sentence and bail is granted to Revision Petitioner, namely, **Sarangapani S/o.Devarossu** on the following conditions:-

“ i. ***The Revision Petitioner is ordered to be released on bail, on his executing a bond before the learned Chief Judicial Magistrate, Puducherry along with two sureties for a sum of Rs.15,000/- each, subject to furnishing undertaking that he will co-operate in the hearing of the present Revision.***

ii. ***The Revision 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. The realization of fine amount, if any, shall also remain suspended during the pendency of the present Revision.

iv. The Petitioner shall appear before the learned Chief Judicial Magistrate, Puducherry, on 5th of every month, commencing from the month of September 2026 at 10.30 a.m., until further orders.

v. On acceptance of his bail bonds and sureties, the Trial Court shall transmit photostat copies thereof to this Court for being kept on records of this Revision.’’

16. With the above directions, this Criminal Miscellaneous Petition is ordered.

03-08-2026

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Note: Issue order copy on 03.08.2026

To

1. The Chief Judicial Magistrate, Puducherry.
2. The III Additional Sessions Judge, Puducherry.
3. The Superintendent, Central Prison, Puducherry.
4. The Station House Officer,
CBCID, Police Station,
Through Public Prosecutor, Puducherry.



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SHAMIM AHMED, J.

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