



Crl. M.P. No.13627 of 2023
in Crl.R.C.No.1515 of 2023

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 04.09.2023

CORAM

THE HONOURABLE MRS. JUSTICE **R.HEMALATHA**

Crl.M.P.No.13627 of 2023
in Crl.R.C. No.1515 of 2023

1.Palanisamy @ Arulraj @ Arun

2.Veeran

...Petitioners

vs.

The State represented by
The Inspector of Police,
Central Police Station,
Tiruppur District.
(Crime No.475/2012)

...Respondent

Prayer : Criminal Miscellaneous Petition filed under Section 397 (1) r/w.482 of Criminal Procedure Code 1973 to suspend the sentence in the judgment dated 23.06.2023 made in C.A.No.53 of 2022 on the file of the learned Principal Sessions Court, Tiruppur, confirming the judgment dated 18.04.2022 made in C.C.No.756 of 2014 on the file of the learned Judicial Magistrate Court No.II, Tiruppur and enlarge the petitioners on bail pending disposal of the above criminal revision petition.

For Petitioners : Mr.S.Vinoth Kumar

For Respondent : Mr.R.Vinothraja, GA (Crl. Side)



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ORDER

This criminal miscellaneous petition is filed seeking suspension of sentence imposed by the learned Principal Sessions Judge, Tiruppur in C.A.No.53/2022 dated 23.06.2023, confirming the conviction and sentence passed by the learned Judicial Magistrate No.II, Tiruppur dated 18.04.2022 made in C.C.No.756/2014 and to enlarge the petitioners on bail.

2. The petitioners are the accused in C.C.No.756/2014 before the learned Judicial Magistrate No.II, Tiruppur and they were convicted and sentenced on 18.04.2022 as under:

<i>S.No.</i>	<i>Accused</i>	<i>Offences under which convicted</i>	<i>Sentence</i>
1	A1	Section 4 of Tamil Nadu Prohibition of Harrasment of Women Act, 1998	Simple imprisonment for two years and to pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for a period of two months.
2	A1 & A2	Section 294 (b) IPC	Simple imprisonment for one month.



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<i>S.No.</i>	<i>Accused</i>	<i>Offences under which convicted</i>	<i>Sentence</i>
3	A1 & A2	Section 323 IPC	Simple imprisonment for six months

3. Aggrieved over the judgment passed by the trial court, the accused filed an appeal in C.A.No.53/2022 before the Principal Sessions Court, Tiruppur and the same was dismissed vide orders dated 23.06.2023, confirming the judgment passed by the trial court.

4. Now the present petitioners / accused have filed the criminal revision in Crl.R.C.No.1515/2023 along with this present criminal miscellaneous petition seeking suspension of sentence.

5. Heard Mr.S.Vinoth Kumar, learned counsel for the petitioners and Mr.R.Vinothraja, learned Government Advocate (Crl. Side) for the respondent.

6. Mr.S.Vinoth Kumar, the learned counsel for the petitioners contended that the present petitioners have a fair chance to prove their



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innocence and succeed in the Criminal Revision and therefore they prayed for suspending the sentence till the conclusion of this Revision.

7.Mr.R.Vinothraja, learned Government Advocate (Crl. Side) did not raise any serious objection to grant the relief of suspension of sentence.

8. Considering the facts and circumstances of the case, this Court is of the view that the petitioners are entitled to the relief of suspension of sentence and bail with the following conditions.

- i. The petitioners shall execute a bond for a sum of Rs.25,000/- each, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Judicial Magistrate No.II, Tiruppur.
- ii. The sureties shall affix their photographs and Left Thumb Impression on 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 petitioners shall appear before the respondent/police everyday at 10.30 a.m. for a period of four weeks and thereafter, the petitioners shall appear before the trial Court on the first working



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day of every month at 10.30 a.m. until the disposal of the revision and if they are not able to appear before the trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of their absence, as directed by the trial Court.

04.09.2023

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R.HEMALATHA, J.
mtl

To

1.Th State represented by
The Inspector of Police,
Central Police Station,
Tiruppur District.

2.The Principal Sessions Court, Tiruppur.

3.The Judicial Magistrate No.II, Tiruppur.

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