



CRL.M.P.No.28 of 2025
in Crl.A.No.3 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.01.2025

CORAM

MR.JUSTICE N.SESHASAYEE

CRL.M.P.No.28 of 2025
in Crl.A.No.3 of 2025

1.Umaiyaakunjaram
2.U.Malathy
3.D.Ramalingam
4.R.Arivananda Gomathy

... Petitioners

Vs.

State Rep. by
The Deputy Superintendent of Police
Vigilance and Anti-Corruption
Kancheepuram

... Respondent

Prayer: The miscellaneous petition is filed U/s.430 of BNSS Act, 2023, to suspend of the sentence of conviction and imprisonment dated 24.12.2024 by the learned Chief Judicial Magistrate-cum-Special Judge at Chengalpattu vide judgment dated 24.12.2024 in Special Case No.7 of 2012 and enlarge the petitioners on bail pending disposal of the Crl.A.No.3 of 2025 on the file of this Court.



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For Petitioners : Mr.M.Palanivel

For Respondent : Mr.K.M.D.Muhilan
Government Advocate (Crl. Side)

ORDER

The Petitioners / appellants were convicted for the following offences:

<i>Accused</i>	<i>Charges framed</i>	<i>Sentence imposed</i>
A1	U/s.13(2) r/w 13(1)(e) of P.C.Act, 1988.	2 years S.I. along with a fine of Rs.20,000/-, in default to undergo 1 month S.I.
A2	U/s.13(2) r/w 13(1)(e) of P.C.Act, 1988 and r/w Section 109 of I.P.C.	2 years S.I. along with a fine of Rs.20,000/-, in default to undergo 1 month S.I
A3	U/s.13(2) r/w 13(1)(e) of P.C.Act, 1988 and r/w Section 109 of I.P.C.	1 year S.I. along with a fine of Rs.20,000/-, in default to undergo 1 month S.I
A4	U/s.13(2) r/w 13(1)(e) of P.C.Act, 1988 and r/w Section 109 of I.P.C.	1 year S.I. along with a fine of Rs.20,000/-, in default to undergo 1 month S.I

by the learned Chief Judicial Magistrate cum Special Judge, Chengalpattu, under judgment in Special Case No.7 of 2012 dated 24.12.2024. Hence, the petitioners seek suspension of sentence.

2. The learned counsel for petitioners submits that the trial Court has



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suspended the sentence imposed on the petitioners temporarily. The learned counsel further submits that there are several infirmities and inconsistencies found in the prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses.

3.Heard Mr.K.M.D.Muhilan, the learned Government Advocate (Crl. Side) and the learned counsel appearing for the petitioners.

4. Considering the facts and circumstances of the case and in view of the fact that there are several infirmities in the prosecution case and there are arguable points involved in the appeal, as contended by the learned counsel for petitioners and that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioners herein are entitled to the relief of grant of suspension of sentence.



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N.SESHASAYEE, J.

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5.The substantive sentence of imprisonment alone is suspended accordingly, and the petitioners are directed to be enlarged on bail on condition that the petitioners shall execute a separate bond for a sum of Rs.10,000/- (Rupees ten thousand only) each, with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate cum Special Judge, Chengalpattu, and on further condition that the petitioners 1 and 2 / appellants 1 and 2 shall appear before the said Court on the first working day of every English calender month at 10.30 a.m. until further orders. The petitioners 3 and 4 / appellants 3 and 4 are only required to appear once in six (6) months through online since they are in 85 plus years.

03.01.2025
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Note: Issue order copy on 07.01.2025

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