



*Crl.M.P.Nos.1516, 1063 & 1064 of 2025
in Crl.R.C.Nos.202, 119 & 120 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 30.01.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.Nos.1516, 1063 & 1064 of 2025
in
Crl.R.C.Nos.202, 119 & 120 of 2025

Krushna Jadhav

... Petitioner/A4 in all Crl.M.Ps.

Vs.

State by:

The Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram District.

... Respondent in all Crl.M.Ps.

COMMON PRAYER: Criminal Miscellaneous Petitions have been filed under Section 438(1) of the Bharatiya Nagarik Suraksha Sanhita praying to suspend the sentence imposed against the petitioner on 15.03.2023 in C.C.Nos.226, 216 & 227 of 2022, respectively, on the file of the learned Judicial Magistrate Court No.I, Kanchipuram and release the petitioner on bail, till the disposal of the Criminal Revision Petitions.

For Petitioner : Mr.P.Pugalenth
in all Crl.M.Ps.

For Respondent : Mr.S.Udaya Kumar
in all Crl.M.Ps. Government Advocate (Crl. Side)



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COMMON ORDER

These Criminal Miscellaneous Petitions have been filed seeking to suspend the sentence imposed on the petitioner in C.C.Nos.226, 216 & 227 of 2022, respectively, by the order dated 15.03.2023 on the file of learned learned Judicial Magistrate No.I, Kanchipuram and release the petitioner on bail, till the disposal of the above Criminal Revision Petitions.

2.The petitioner/A4 in C.C.Nos.226, 216 & 227 of 2022, respectively, was convicted by the Trial Court by judgment dated 15.03.2023 for the alleged offences under Sections 457 and 380 of I.P.C. and sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo one month simple imprisonment for offence under Section 457 of I.P.C. and sentenced to undergo one year rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo one month simple imprisonment for offence under Section 380 of I.P.C. Aggrieved by the same, the petitioner/A4 preferred the revisions in Crl.R.C.Nos.202, 119 & 120 of 2025, respectively, before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.



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3.The learned counsel for the petitioner would submit that the judgments in all the three cases were delivered on the same day, i.e. on 15.03.2023 by the learned Judicial Magistrate No.I, Kanchipuram and hence, this Court may direct that the sentences imposed in all the three cases may run concurrently.

4. Heard the learned Government Advocate (Crl. Side).

5.Admittedly, the petitioner is in custody ever since the date of his arrest (i.e) 29.09.2022. The petitioner has served more than two years sentence in each of the cases. This Court is of the view that the question as to whether the sentences can be directed to run concurrently, can be decided at the time of final hearing. However, considering the fact that the petitioner is in incarceration from 29.09.2022 admittedly, this Court is of the view that the sentences imposed on the petitioner in the above three cases can be suspended till the disposal of the above Criminal Revisions and the petitioner is ordered to be released on bail on the following conditions:



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- (i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with one surety (who can be common in all the 3 cases) for a like sum to the satisfaction of the learned Judicial Magistrate No.I, Kanchipuram;
- (ii) The petitioner and 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 pass Book and mobile numbers to ensure their identity; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revisions and if he is not able to appear before the trial Court on any day, he 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 his absence, as directed by the trial Court.

6. Accordingly, these Criminal Miscellaneous Petitions are ordered.

30.01.2025
(2/2)

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Issue order copy by 31.01.2025

(i) Upload the order copy forthwith.



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To

- 1.The Judicial Magistrate No.I,
Kanchipuram.
- 2.The Inspector of Police,
Vishnu Kanchi Police Station,
Kanchipuram District.
- 3.The Superintendent,
Central Prison-I,
Puzhal, Chennai.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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