



WEB COPY



*Crl.M.P.Nos.1626 and 1627 of 2025
in Crl.RC.No.216 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **31-01-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL MP NOS. 1626 and 1627 of 2025

in

CRL RC NO. 216 of 2025

Sathish

... Petitioner in both Crl.M.Ps

Vs

State rep. by

The Inspector of Police,

Mayiladuthurai Police Station,

Mayiladuthurai District.

Cr.No.23 of 2022

... Respondent in both Crl.M.Ps

For Petitioner(s):

Mr.T.Padmanabhan in both Crl.M.Ps

For Respondent(s):

Mr.S.Udaya Kumar

Government Advocate (Crl.Side)

ORDER

These Criminal Miscellaneous Petitions have been filed seeking to suspend the sentence imposed on the petitioner by a judgment dated 29.12.2023 made in C.C.No.236 of 2022 on the file of learned Judicial Magistrate No.I, Mayiladuthurai, which was confirmed by the learned District



*Crl.M.P.Nos.1626 and 1627 of 2025
in Crl.RC.No.216 of 2025*

Judge, Mayiladuthurai in C.A.No.2 of 2024 dated 12.09.2024 and enlarge the petitioner on bail pending disposal of the above revision and to exempt the petitioner from surrendering before the trial court, pending disposal of the above revision.

2. The case of the prosecution is that the victim is the sister-in-law of the petitioner; that on 03.07.2022, while the defacto complainant was cooking in the kitchen, the petitioner misbehaved with the victim by touching her back side; and that when the same was questioned, he abused her in filthy language and also threatened her with dire consequences.

3.The petitioner/accused in C.C.No.236 of 2022 was convicted by the Trial Court by the judgment dated 29.12.2023 for the offence under Section 354(A) IPC and sentenced him to undergo one year simple imprisonment and to pay a fine of Rs.1,000/- in default to undergo one month of simple imprisonment. Aggrieved by the same, the petitioner/accused preferred an appeal in C.A.No.2 of 2024 before the learned District Judge, Mayiladuthurai. The learned District Judge, by the judgment dated 12.09.2024, dismissed the appeal confirming the conviction and sentence passed by the trial Court,



*Crl.M.P.Nos.1626 and 1627 of 2025
in Crl.RC.No.216 of 2025*

against which, he filed Crl.R.C.No.216 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, exemption from surrender and bail.

4.The learned counsel for the petitioner would submit that though the alleged occurrence took place on 03.07.2022, the complaint was filed only on 26.07.2022 as a counter blast to the complaint filed by the petitioner's father against the defacto complainant on 04.07.2022; and that there are several arguable points in the above revision, which requires consideration. Hence, he prayed for granting suspension of sentence to the petitioner.

5. Heard the learned counsel for the petitioner and perused the records.

6. It is seen that though the alleged occurrence took place on 03.07.2022, the complaint was lodged only on 26.07.2022. The defacto complainant was examined as P.W.1 and it has also been admitted that on 04.07.2022, the petitioner's father had given a complaint against the defacto complainant in a police station. Considering the said fact, this Court is of the view that the points raised by the petitioner requires consideration in the



above revision.

7. Hence, taking into consideration the nature of allegations and the above facts, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

(i) the sentence of imprisonment alone, imposed on the petitioner/accused shall be suspended, on him executing a bond for a sum of Rs.10,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(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;

(iii) The petitioner shall appear before the Trial Court on the first working day of a month at 10.30 a.m., until the disposal of the revision and if she is not able to appear before the Trial Court on that day, she shall make arrangements to file an application under Section 317



*Crl.M.P.Nos.1626 and 1627 of 2025
in Crl.RC.No.216 of 2025*

Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of her absence as directed by the Trial Court;

8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

31.01.2025
(2/2)

Anu



WEB COPY



*Crl.M.P.Nos.1626 and 1627 of 2025
in Crl.RC.No.216 of 2025*

SUNDER MOHAN, J.

Anu

To

1.The Judicial Magistrate No.I, Mayiladuthurai

2.The District Judge, Mayiladuthurai

3.The Inspector of Police,
Mayiladuthurai Police Station,
Mayiladuthurai District.

4.The Public Prosecutor,
High Court, Madras.

Crl.M.P.Nos.1626 and 1627 of 2025
in Crl.RC.No.216 of 2025

31.01.2025
(2/2)