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CrI.M.P.No.8877 of 2025
in CrI.R.C.No.572 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

**CrI.M.P.No.8877 of 2025
in CrI.R.C.No.572 of 2025**

Vasanthakumar

.... Petitioner

Vs

State by the Sub Inspector of Police,
Omarabad Police Station,
Ambur Taluk,
Tirupattur District.
(Crime No.194/2022)

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed Section (389 (1) of Cr.P.C.,) 430 (1) BNSS, to suspend the sentence imposed in the judgment dated 12.12.2024 made in CRL.A.No.118/2023 on the file of the District and Sessions Court at Tirupattur modifying the judgment dated passed in C.C.No.154/2022 dated 28.07.2023 on the file of the Learned Additional District Munsif cum Judicial Magistrate, Ambur and enlarge the petitioner on bail pending disposal of main revision petition.

For Petitioner : Ms.Mumtaj Surya

For Respondent : Dr.C.E.Pratap
Government Advocate (CrI.Side)



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in the judgment dated 12.12.2024 made in CRL.A.No.118 of 2023 on the file of the District and Sessions Court at Tirupattur modifying the judgment dated passed in C.C.No.154 of 2022 dated 28.07.2023 on the file of the learned Additional District Munsif cum Judicial Magistrate, Ambur and enlarge the petitioner on bail pending disposal of main revision petition.

2.The petitioner herein is the accused in C.C.No.154 of 2022 on the file of the Additional District Munsif cum Judicial Magistrate, Ambur. He was found guilty for the offence under Sections 294 (b) of IPC, the trial Court convicted and directed to pay fine of Rs.500/- IDSI for two weeks, for offence under section 323 of IPC, convicted and directed to pay fine of Rs.500/- IDSI for 4 weeks, for offence under section 326 of IPC convicted and sentenced to undergo rigorous imprisonment for one year and directed to pay fine of Rs.9,000/-, IDSI for 2 months. Aggrieved by the same, the petitioner had filed an appeal in CrI.A.No.118 of 2023 and the District and



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Sessions Court, Tirupattur by order dated 12.12.2024, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the present revision has been filed.

3.The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case. Learned counsel would further submit that the petitioner has been falsely implicated in this case by the prosecution. Hence, the substantive sentence imposed against the petitioner/accused may be suspended and the petitioner is ready to abide any condition to be imposed by this Court.

4.Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition.



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5.On perusal of records, it is seen that the Trial Court modified the sentence from one year to three months and by enhancing the fine amount from Rs.9,000/- to Rs.25,000/- and the petitioner/accused shall pay the balance fine amount of Rs.16,000/- to the victim.

6.Heard the learned counsel appearing on either side and also perused the materials placed on record.

7.Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that this Criminal Revision Case is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) the petitioner shall deposit a sum of Rs.16,000/- (Rupees Sixteen thousand only), if any, to the credit of C.C.No.154 of 2022, on the file of Additional District



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Munsif cum Judicial Magistrate, Ambur, within a period of two weeks from the date of receipt of a copy of this order. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the victim is permitted to withdraw the aforesaid amount i.e., Rs.16,000/-.

(iii) On the failure of the petitioner/accused depositing the above said amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence.

(iv) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(v) 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;



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(vi) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the appeal 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 355 of BNSS, 2023 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;

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

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

- 1.The District and Sessions Court, Tirupattur.
- 2.The Additional District and Munsif Cum Judicial Magistrate, Ambur.
- 3.The Sub Inspector of Police, Omarabad Police Station, Ambur Taluk,
Tirupattur District. (Crime No.194/2022)
- 4.The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI, J.

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