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Crl.M.P.No .4272 of 2025 in *CRL. RC.No.395 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.08.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.M.P.No .4272 of 2025

in

CRL. RC.No.395 of 2025

Silambarasan
S/o.Aruchamy

...Petitioner

Vs.

The Inspector of Police
Uthukuli Police Station,
Avinashi

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 of BNSS to suspend the sentence and enlarge the petitioner on bail against the order passed by the Judicial Magistrate, Uthukuli in C.C.No. 320 of 2019 dated 29.05.2023 and confirmed by the Appellate Court in Crl.Appeal No. 150 of 2023, dated 01.10.2024.

For Petitioner	: Mr.S.Vigneshwaran
For Respondent	: Mr.A.Gopinath Government Advocate (Crl.Side)



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the Judicial Magistrate, Uthukuli in C.C.No.320 of 2019 dated 29.05.2023 and confirmed by I Additional District Judge, Tirupur in Crl.A.No. 150 of 2023, dated 01.10.2024 and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner, who is an accused in Crl.A.No. 150 of 2023, was convicted and sentenced by the I Additional District Judge, Tirupur vide judgment dated 01.10.2024 , as follows:

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	279 IPC	To under go simple imprisonment of 2 months and fine of Rs.1000/- and in default, he shall undergo 2 weeks simple imprisonment.
	304 (A) IPC	to undergo simple imprisonment of 2 years and fine of Rs.4,000/- and in default, he shall undergo 2 weeks simple imprisonment.



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3. Heard the learned counsel for the petitioner and the learned

Additional Public Prosecutor for the respondent.

4. Considering the submissions made by the learned counsel on either side, this Court finds no prima facie case to suspend the sentence imposed on the petitioner, since the petitioner had committed very serious offence as against the Society. Therefore, this Court is not inclined to suspend the sentence imposed by the Judicial Magistrate, Uthukuli in C.C.No.320 of 2019 dated 29.05.2023 and confirmed by I Additional District Judge, Tirupur in Crl.A.No. 150 of 2023, dated 01.10.2024.

5. Accordingly, the Criminal Miscellaneous Petition is dismissed. The Trial Court is directed to secure the petitioner, in order to comply with the conviction and sentence imposed by the Trial Court, which was also confirmed by the appellate Court.

20.08.2025

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

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To

1. I Additional District Judge,
Tirupur.

2. The Inspector of Police
Uthukuli Police Station,
Avinashi

3. The Public Prosecutor,
High Court of Madras,
Chennai.

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