



Crl.M.P.No.5783 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.06.2025

CORAM

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Crl.M.P.No.5783 of 2025
in Crl.RC.No.474 of 2025

G.T.Vijayan

... Petitioner

Vs.

State represented by
Additional Superintendent of Police
SPE, CBI, EOB,
Chennai.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 389(1) of Cr.P.C., pleaded to suspend the sentence imposed by the learned Additional Chief Metropolitan Magistrate, Egmore, Chennai in C.C.No. 5024 of 2011 on 21.07.2022 and enlarge the petitioner on bail.

For Petitioner : Mr.V.Krishnamoorthy

For Respondent : Mr.B.Mohan
Special Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of the sentence and conviction imposed by the Trial Court



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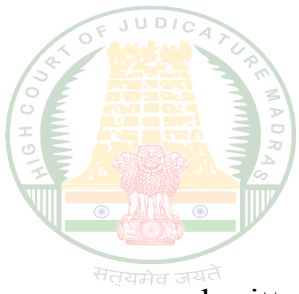
in C.C.No. 5024 of 2011 on the file of Additional Chief Metropolitan Magistrate, Egmore, Chennai dated 21.07.2022 confirmed by the Principal Session Judge, Chennai in C.A.No. 175 of 2022 dated 20.02.2025.

2. The conviction and sentence imposed against the petitioner is as follows:-

<i>Under Section</i>	<i>Sentence</i>
Section 120-B r/w 420, 420, 467 and 471 r/w 467 of IPC	Sentenced to undergo rigorous imprisonment for two years for each offence and also to pay a fine of Rs.10,000/- for each offence and in default to undergo R.I. For 6 months. Total amount of fine to be paid by the petitioner is Rs.40,000/-

3. According to the learned counsel for the petitioner, there are arguable points available in the Criminal Revision Case, which is not likely to be taken for final hearing in the near future and the petitioner has got a fair chance of succeeding in the Criminal Revision Case and hence, the sentence imposed against the petitioner may be suspended and the petitioner may be enlarged with bail.

4. Learned Special Public Prosecutor appearing for the respondent



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submitted that the prosecution has proved the case beyond reasonable doubts and the trial Court on finding the petitioner guilty, convicted him as stated above. Therefore, he vehemently opposed for grant of suspension of sentence.

5. Heard the learned counsel for the petitioner and the learned Special Public Prosecutor appearing for the respondent and perused the materials on record.

6. Considering the facts and circumstances of the case and also considering that the petitioner has since surrendered before the Trial Court and fine amount has since been paid and the receipts are produced, this Court is of the view that the sentence of imprisonment can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Revision case, suspension of sentence is granted, on the following conditions :-

(i) The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a like sum to the satisfaction of the trial Court;

(ii) The petitioner and the sureties shall affix



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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 every English Calendar month at 10.30 a.m., 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;

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

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Note: Issue order copy by 18.06.2025.



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D.BHARATHA CHAKRAVARTHY, J.
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To

1. The Additional Chief Metropolitan Magistrate,
Egmore, Chennai
2. The Principal Session Judge,
Chennai
3. The Additional Superintendent of Police
SPE:CBI: EOW Chennai,
Sastri Bhavan, 26 Haddows Road,
Chennai -6.
4. The Special Public Prosecutor,
High Court of Madras.

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