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Crl.M.P.No .8782 of 2025 in *CRL. RC.No.569 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.8782 of 2025

in

Crl.R.C.No. 569 of 2025

1. Neelamangalam
S/o. Subramaniyam

2.Pradhap
S/o.Subramaniaym

3.Thirisoolam,
W/o.Subramaniyam

4.Ranjani
D/o.Subramaniyam

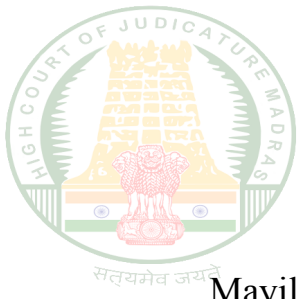
...Petitioners

Vs.

The State by
The Inspector of Police,
Thiruvenkadu Police Station,
Mayiladuthurai District
(Crime No. 101/2015)

..Respondent

Criminal Miscellaneous Petitions filed under Section 438(1) of
BNSS to suspend the sentence passed by the District Judge,



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Mayiladuthurai in C.A.No.11 of 2020 vide judgment dated 11.11.2020 confirming the judgment passed in C.C.No. 144 of 2015 dated 09.09.2020 by the Judicial Magistrate, Sirkali and enlarge the petitioners on bail, pending disposal of the above Criminal Revision Petition.

For Petitioners : Mr. S.T. Raja

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

ORDER

The Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence passed by the District Judge, Mayiladuthurai in C.A.No.11 of 2020 vide judgment dated 11.11.2020 confirming the judgment passed in C.C.No. 144 of 2015 dated 09.09.2020 by the Judicial Magistrate, Sirkali and enlarge the petitioners on bail, pending disposal of the above Criminal Revision Petition.

2. The petitioners herein are the accused in C.C.No.144 of 2014 on the file of the Judicial Magistrate, Sirkali. They were found guilty of the offence under Sections 323 of IPC and 498(A) of IPC and they have been convicted and sentenced as under:



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S.No.	Conviction	Sentence
1	Section 323 of IPC	A1 & A4 -to undergo simple imprisonment for a period of three months and pay a fine of RS.500/- each and in default, shall undergo 7 days simple imprisonment
2	Section 498(A) of IPC	A1 & A2 - to undergo simple imprisonment for a period of two (2) years and to pay fine of Rs. 5,000/- each, and in default to undergo simple imprisonment for thirty days.

Aggrieved by the same, the petitioners had filed appeal in C.A.No.11 of 2020 and the learned District Judge, Mayiladuthurai by order dated 11.12.2024, had dismissed the appeal and confirmed the conviction and sentence imposed by the trial Court. Against which the present revision has been filed.

3. The learned counsel for the petitioners/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioners/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioners/accused may be suspended.



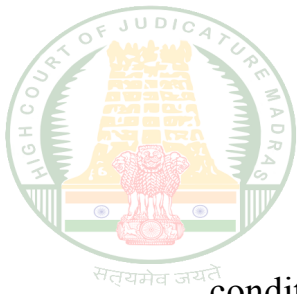
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4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

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

6. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police, further this criminal revision 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



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conditions. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on his executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Uthangarai.

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) 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 revision petition 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.



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G.K.ILANTHIRAIYAN, J.

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

20.08.2025

(2/3)

Index : Yes/No

Neutral citation : Yes/No

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To

1. The District Judge, Mayiladuthurai.

2. The Judicial Magistrate, Sirkali.

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

4. The Public Prosecutor,
Madras High Court, Chennai.

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