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Crl.M.P.No.10131 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

Crl.M.P.No.10131 of 2025

in

Crl.A.No.529 of 2025

V.Palanivelu

... Petitioner

Versus

The State Rep. by
Rep. by the Inspector of Police,
Vigilance and Anti Corruption,
Nagapattinam.
Crime No.4 of 2015

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 430 of BNSS, to suspend the sentence imposed in the Judgment passed in SSC No.4 of 2018 against the petitioner/ appellant by the Chief Judicial Magistrate, Tiruvarur and the petitioner/ appellant who is remanded to judicial custody after judgment be released on bail pending disposal of the above appeal.

For Petitioner : Mr.Marimahesh

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)



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ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence imposed in Judgment in SCC No.4 of 2018 against the petitioner/appellant by the Chief Judicial Magistrate, Tiruvarur

2. The petitioner, who was accused in SCC No.4 of 2018 was convicted and sentenced by the Chief Judicial Magistrate, Tiruvarur as follows:

<i>petitioner's Rank</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
Single accused	Section 7 of the PC Act, 1988	To undergo three years simple imprisonment and to impose fine of Rs.1000/- in default thereof further imprisonment of six months
	Section 13(1)(d) r/w Section 13(2) of PC Act, 1988	To undergo 4 years of simple imprisonment and to impose fine of Rs.1000/- in default thereof further imprisonment of one year – Total Fine Rs.2000/-
	Sentences shall run concurrently	

3. Aggrieved over the above conviction and sentence passed by the trial court, the petitioner has preferred the present criminal appeal petition along with the instant miscellaneous petition, seeking suspension of sentence and bail.



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WEB COPY 4. Heard the learned counsel appearing for the petitioner.

5. The learned counsel for the petitioner submitted that there are arguable points in this appeal and the petitioner has a good and fair chance of success in this appeal. Thus, he prayed for suspension of sentence imposed on the petitioner till the disposal of this Criminal Appeal.

6. The petitioner has raised substantial grounds in the appeal which require detailed appraisal. Further, the appeal is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence and bail.

7. Accordingly, this criminal miscellaneous petition stands **allowed** and the relief of suspension of sentence alone is granted on the following conditions:

- (i) The petitioner shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees ten thousand only) along with two sureties, each, for a like sum to the satisfaction of **Chief Judicial Magistrate**



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- (ii) The petitioner and the sureties shall affix their photograph and Left Thumb Impression in the bond and the Trial Court may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.
- (iii) The petitioner shall appear before the trial Court on the first working day of every 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 317 Cr.P.C. 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.

skr/dpa

22.05.2025
(2/2)

Note:

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this court will be watermarked and will also have a QR code.**

To

1. Chief Judicial Magistrate Court, Thiruvavarur
2. The Superintendent of Prison,
Central Prison, Trichy.



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3. Inspector of Police,
Vigilance and Anti Corruption, Nagapattinam.

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

N.SENTHILKUMAR, J.

skr/dpa

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