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Crl.M.P.No.10010 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.10010 of 2025

in

Crl.RC.No.610 of 2025

Karthick

... Petitioner

Versus

The State Rep. by
Rep. by the Inspector of Police,
Civil Supply – CID, Pollachi,
Coimbatore.
Crime No.176 of 2013

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 438(1) of BNSS, to suspend the sentence imposed in the Judgment dated 04.03.2025 made in Crl.A.No.78 of 2023, on the file of the learned I Additional District Judge, Coimbatore, confirming the conviction and sentence in the judgment dated 27.02.2023 made in C.C.No.21 of 2014 before the Judicial Magistrate-IV, Coimbatore in pending disposal of the above criminal revision petition.

For Petitioner : Mr.W.Camyles Gandhi

For Respondent : Mr.S.Vinoth Kumar



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Government Advocate (Crl. Side)

ORDER

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This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence of imprisonment imposed in Judgment dated 04.03.2025 made in Crl.A.No.78 of 2023, on the file of the learned I Additional District Judge, Coimbatore, confirming the conviction and sentence in the judgment dated 27.02.2023 made in C.C.No.21 of 2014 before the Judicial Magistrate-IV, Coimbatore in pending disposal of the above criminal revision petition.

2. The petitioner, who was accused in C.C.No.21 of 2014 was convicted and sentenced by the I Additional District Judge, Coimbatore, as follows:

<i>petitioner's Rank</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
Second accused	Section 6(4) of TNSC (RDCS) Order 1982 r/w 7(1)a(ii) of EC Act	To undergo three years simple imprisonment each and to pay a fine of Rs.5,000/- each and to pay one month each.

3. Aggrieved over the above conviction and sentence passed by the trial court, the petitioner preferred Crl.A.No.78 of 2023 before the I Additional District Judge, Coimbatore wherein, the conviction and sentence imposed by the trial court was confirmed by the Sessions Judge, by his judgment dated 04.03.2025. Against



the judgment of the appellate court, the petitioner has preferred the present criminal revision along with the instant miscellaneous petition, seeking suspension of sentence and bail.

4. Heard the learned counsel appearing for the petitioner.

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

6. The petitioner has raised substantial grounds in the revision which require detailed appraisal. Further, the revision 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, the criminal miscellaneous petition is ordered and the petitioner is exempted to surrender before the concerned Court and the sentence of imprisonment imposed on the petitioner is suspended till the disposal of the



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revision case and he is ordered to be enlarged on bail, on further condition that:

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- (i) 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 **Judicial Magistrate No.IV, Coimbatore.**
- (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 revision 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.



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To

1. Judicial Magistrate-IV,
Coimbatore.
2. Inspector of Police,
Civil Supply – CID, Pollachi,
Coimbatore.



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CrL.M.P.No.10010 of 2025

N.SENTHILKUMAR, J.

skr/dpa

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in CrL.RC.No.610 of 2025



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CrI.M.P.No.10010 of 2025

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