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Crl.M.P.No.10073 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.10073 of 2025

in

Crl.RC.No.615 of 2025

M/s. Pinakini Advanced Security Systems ... Petitioner

Versus

1. Dr.Louis David Amalraja

2. The State Rep. by
Rep. by its Public Prosecutor,
Government of Puducherry.

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 430 of BNSS, to suspend the sentence imposed in the Judgment passed in STC No.1576 of 2017 dated 18.05.2023 on the file of the Judicial Magistrate-II, Puducherry which was confirmed in Crl.A.No.48 of 2023 dated 21.02.2025 on the file of the Principal Sessions Judge at Puducherry and enlarge the petitioner on bail, pending disposal of the above criminal revision petition.

For Petitioner : Mr.R.Thiagarajan



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

ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence of imprisonment imposed in Judgment passed in STC No.1576 of 2017 dated 18.05.2023 on the file of the Judicial Magistrate-II, Puducherry which was confirmed in Crl.A.No.48 of 2023 dated 21.02.2025 on the file of the Principal Sessions Judge at Puducherry and enlarge the petitioner on bail, pending disposal of the above criminal revision petition.

2. The petitioner, who was accused in STC No.1576 of 2017 was convicted and sentenced by the Judicial Magistrate-II, Puducherry as follows:

<i>petitioner's Rank</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
Single accused	Section 138 of NI Act	To under simple imprisonment for three months and also directed to pay principal sum of Rs.1,00,000/- as compensation along with 9% interest p.a in default to undergo, simple imprisonment for one month.

3. Aggrieved over the above conviction and sentence passed by the trial court, the petitioner preferred Crl.A.No.48 of 2023 dated 21.02.2025 on the file of



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the Principal Sessions Judge at Puducherry wherein, the conviction and sentence imposed by the trial court was confirmed by the Sessions Judge, by his judgment dated 21.02.2025. 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



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

- (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 Court-II, Puducherry**.
- (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.
- (iv) The petitioner shall deposit a sum of Rs.1,20,000/- in the name of the defacto complainant within a period of 10 days from the date of receipt of a copy of this order. In the event of violation of this condition, the order suspending the sentence shall stand automatically cancelled.

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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. Judicial Magistrate Court-II, Puducherry
2. The Public Prosecutor,
Madras High Court.



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N.SENTHILKUMAR, J.

skr/dpa

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