



CRL.M.P.No.10070 of 2025  
in Crl.A.No.506 of 2025

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 15.05.2025

CORAM

THE HONOURABLE MR.JUSTICE M.NIRMALKUMAR

CRL.M.P.No.10070 of 2025  
in Crl.A.No.506 of 2025

R.Arul

... Petitioner

Vs.

The State,  
represented by the Inspector of Police,  
AWPS Villupuram,  
Villupuram District.

... Respondent

Prayer: The miscellaneous petition is filed U/s.430 of BNSS Act, 2023, to suspend the conviction and sentence of one year imprisonment along with fine of Rs.10,000/- for the offence punishable under Section 417 of IPC, 1860, sentenced by the learned Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court) at Villupuram in Session Case No.83 of 2022 vide order dated 08.05.2025 and enlarge him on bail.

For Petitioner : Mr.R.Sreedhar

For Respondent : Mr.R.Vinothraja  
Government Advocate (Crl. Side)

ORDER



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The Petitioner/appellant was convicted for the offences U/s.417

I.P.C, and sentenced to undergo one year imprisonment along with fine of Rs.10,000/- in default to undergo one (1) month S.I. by the learned Sessions Judge, Magalir Neethi Mandram, (Fast Track Mahila Court), Villupuram, under judgment in S.C.No.83 of 2022 dated 08.05.2025. Hence, the petitioner seeks suspension of sentence.

2. The learned counsel for petitioner submits that the trial Court has released on the petitioner on bail suspending the sentence and the petitioner is not in jail at present. Learned counsel further submits that there are several infirmities and inconsistencies found in the prosecution case and there are contradictions in the material particulars between the evidence of the prosecution witnesses.

3. Heard Mr.R.Vinothraja, learned Government Advocate (CrI. Side) and the learned counsel appearing for the petitioner.

4. Considering the facts and circumstances of the case and in view of the fact that there are several infirmities in the prosecution case



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and there are arguable points involved in the appeal, as contended by the learned counsel for petitioner and that the appeal is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

5. Accordingly, the substantive sentence of Imprisonment imposed on the petitioner is suspended till the disposal of the appeal and he is ordered to be enlarged on bail, on condition that he shall execute a bond for a sum of Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the trial Court.

6. Further, the petitioner shall appear before the Trial Court once in three months at 10.30 a.m. on the first working day of the month, until the disposal of the appeal and if he is not able to appear before the Trial Court on that day, he shall make arrangements to file an application

M.NIRMALKUMAR, J.  
jai

under Section 317 Cr.P.C. and shall appear before the Trial Court on any



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other day in lieu of the date of his absence as directed by the Trial Court.

7. Accordingly, this Criminal Miscellaneous Petition is ordered.

15.05.2025

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jai/gbi

To

1. The learned Sessions Judge, Magalir Neethi Mandram  
(Fast Track Mahila Court at Villupuram).
2. The Inspector of Police,  
AWPS Villupuram.
3. The Public Prosecutor,  
High Court of Madras.

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