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Crl.M.P.Nos.10113 & 10115 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.Nos.10113 & 10115 of 2025

in

Crl.RC.No.623 of 2025

Crl.M.P.No.10113 of 2025

Srinivasan

... Petitioner

Versus

The State Rep. by
Rep. by the Inspector of Police,
D-6, Anna Square Police Station,
Traffic Investigation Wing,
Chennai
Crime No.302-T-1/2021

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 438(1) of BNSS, to suspend the sentence imposed in the Judgment passed by the XV Additional Sessions Judge, Chennai in C.A.No.720 of 2023 dated 19.03.2025 by confirming the sentence and conviction imposed by the learned VI Metropolitan Magistrate Court, Egmore, Chennai in C.C.No.2633 of 2022 dated 20.10.2023 and enlarge him on bail pending investigation of the criminal revision petition.



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Crl.M.P.No.10115 of 2025

Srinivasan

... Petitioner

Versus

The State Rep. by
Rep. by the Inspector of Police,
D-6, Anna Square Police Station,
Traffic Investigation Wing,
Chennai
Crime No.302-T-1/2021

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 528 of Cr.PC, to exempt the petitioner from surrendering of the Judgment passed by the XV Additional Sessions Judge, Chennai in C.A.No.720 of 2023 dated 19.03.2025 by confirming the sentence and conviction imposed by the learned VI Metropolitan Magistrate Court, Egmore, Chennai in C.C.No.2633 of 2022 dated 20.10.2023 and enlarge him on bail pending investigation of the criminal revision petition.

In Both Petitions

For Petitioner : Mr.S.Suresh

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

COMMON ORDER

These Criminal Miscellaneous Petitions have been filed by the petitioner,



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seeking to suspend the sentence passed by the XV Additional Sessions Judge, Chennai in C.A.No.720 of 2023 dated 19.03.2025 by confirming the sentence and conviction imposed by the learned VI Metropolitan Magistrate Court, Egmore, Chennai in C.C.No.2633 of 2022 dated 20.10.2023 and enlarge him on bail pending investigation of the criminal revision petition and to exempt the petitioner from surrendering before the trial court, pending disposal of the above revision.

2. The petitioner, who was accused in C.C.No.2633 of 2022 was convicted and sentenced by the VI Metropolitan Magistrate Court, Egmore, Chennai as follows:

<i>petitioner's Rank</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
Single accused	Section 304(A) of IPC	To undergo 6 months simple imprisonment.
	Section 134(a,b) r/w Section 187 of MV Act	To undergo 3 months simple imprisonment.
	Sentences shall run concurrently	

3. Aggrieved over the above conviction and sentence passed by the trial court, the petitioner preferred C.A.No.720 of 2023 before the VI Metropolitan



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Magistrate Court, Egmore, Chennai wherein, the conviction and sentence imposed by the trial court was confirmed by the Sessions Judge, by his judgment dated 19.03.2025. 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, these criminal miscellaneous petitions stand **allowed** and the



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relief of suspension of sentence is granted and the petitioner is exempted from surrendering before the trial court 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 **VI Metropolitan Magistrate Court, Egmore, Chennai.**
- (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.

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Note:

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- 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.**

N.SENTHILKUMAR, J.

skr/dpa

To

1. VI Metropolitan Magistrate Court, Egmore, Chennai.
2. Inspector of Police, D-6, Anna Square Police Station,
Traffic Investigation Wing, Chennai
3. The Public Prosecutor,
Madras High Court.

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