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*Crl.M.P.No.11564 of 2025
in Crl.R.C.No.843 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.06.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.11564 of 2025
in
Crl.R.C.No.843 of 2025

1. K.Loganathan
2. Manjula

...Petitioners

Vs.

Elizabeth Rani @ Elsa Rani (died)

1. R.Kalairani
2. M.Chandrakumar

... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 438 of Bharatiya Nagarik Suraksha Sanhita, 2023 to suspend the sentence and conviction passed by the learned V Additional City Civil Judge, Chennai in Crl.A.No.328 of 2023 dated 31.12.2024 dismissing the appeal and confirming the order of the learned XVII Metropolitan Magistrate, Saidapet, Chennai in C.C.No.1310 of 2014 on 04.05.2023 and enlarge the petitioners on bail till the disposal of the revision.



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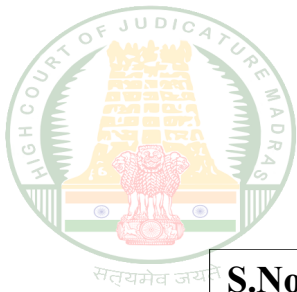
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For Petitioners : Mr.R.Radha Pandiyan

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioners, seeking suspension of sentence imposed by the learned V Additional City Civil Judge, in Crl.A.No.328 of 2023 dated 31.12.2024 dismissing the appeal and confirming the order of learned XVII Metropolitan Magistrate, Saidapet, Chennai in C.C.No.1310 of 2014 on 04.05.2023 and enlarge the petitioners on bail pending disposal of the above Revision.

2. The petitioners herein are the accused in Crl.A.No.328 of 2023 dated 31.12.2024 and in C.C.No.1310 of 2014 on 04.05.2023. The 1st petitioner / A.1 found guilty of the offences under Sections 471, 420, 120B and 448 IPC and the 2nd petitioner / A.2 found guilty under Sections 120B and 448 IPC and they have been convicted and sentenced as under:



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S.No.	Conviction	Sentence
1	1st petitioner / A.1 Section 471 IPC Section 420 IPC Section 120B IPC Section 448 IPC	to undergo simple imprisonment for a period of two years and to pay fine of Rs.3,000/-, in default to undergo simple imprisonment for three months. to undergo simple imprisonment for a period of two years and a fine of Rs.3,000/- in default to undergo simple imprisonment for three months to undergo simple imprisonment for a period of four years and a fine of Rs.1,000/- in default to undergo simple imprisonment for one month to undergo simple imprisonment for a period of four months and a fine of Rs.1,000/- in default to undergo simple imprisonment for one month
2	2nd petitioner/ A.2 Section 120B IPC Section 448 IPC	to undergo simple imprisonment for a period of four months and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for one month. to undergo simple imprisonment for a period of four months and a fine of Rs.1,000/- in default to undergo simple imprisonment for one month.

Aggrieved by the same, the petitioners have filed this appeal along with the present miscellaneous petition.

3. The learned counsel for the petitioners/accused would submit



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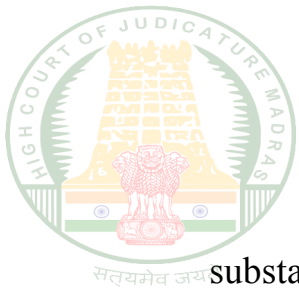
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that there are arguable points available in the Criminal Revision and the petitioners/accused have got a fair chance of succeeding in the Criminal Revision and hence, the substantive sentence imposed against the petitioners/accused may be suspended. Further he would submit that the petitioners are ready to abide the condition imposed by this Court.

4. Heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

6. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioners, also by considering the submissions of the learned counsel for the petitioners, further this criminal appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions.

7. Accordingly, till the disposal of the Criminal Revision, the



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substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioners/accused are ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned XVII Metropolitan Magistrate, Saidapet, Chennai.

(b) The petitioners/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioners shall appear before the Trial Court daily at 10.30 for a period of fifteen days and thereafter on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Revision and if they are not able to appear before the trial Court on any day, they 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.

8. With the above directions, this Criminal Miscellaneous Petition



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is ordered.
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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G.K.ILANTHIRAIYAN, J.

To

1. The V Additional City Civil Judge,
Chennai
2. The XVII Metropolitan Magistrate, Saidapet,
Chennai
3. The Public Prosecutor,
Madras High Court,
Chennai.

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