



Crl.M.P.No.10709 of 2025 in Crl.R.C.No.719 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.10709 of 2025
in Crl.R.C.No.719 of 2025

1. Mohan
2. Saravanan

... Petitioners

Vs

1. State rep by its,
Sub-Inspector of Police (Law and Order),
H-5, New Washermenpet Police Station,
Chennai-600 021.
(Crime No.1599/2016)

2. P.Umadevi

... Respondents

PRAYER: Criminal Miscellaneous Petition is filed under Section 438(1) of BNSS, 2023, to suspend the execution of sentence dated 20.02.2025 passed in C.A.No.226/2023 against the Revision Petitioners by the learned XVI Additional District and Sessions Court, Chennai by reversing the Judgment of acquittal in CC.No.705/2018 on the file of the Learned XV Metropolitan Magistrate Court, George Town, Chennai dated 10.02.2021 and enlarge the petitioners on bail pending disposal of the above criminal revision petition.

For Petitioners	: Mr.S.Surendar
For R1	: Mr.A.Gopinath Government Advocate (Crl.side)
For R2	: Mrs.N.Umadevi 2 nd respondent in person

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed on them in C.A.No.226 of 2023 dated 20.02.2025 by the XVI Additional District and Sessions Court, Chennai by reversing the Judgment of acquittal in CC.No.705 of 2018 on the file of the XV Metropolitan Magistrate Court, George Town, Chennai dated 10.02.2021 and enlarge the petitioners on bail.

2. The petitioners are the accused in C.C.No.705 of 2018 on the file of the XV Metropolitan Magistrate Court, George Town, Chennai for the offences punishable under Section 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. They were acquitted by the Trial Court by an order dated 10.02.2021. Aggrieved by the same, the first respondent preferred an appeal in C.A.No.226 of 2023 and the learned XVI Additional District and Sessions Court, Chennai, by order dated 20.02.2025, found the petitioners guilty for the offences under Section 506(i) of IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioners/accused would submit that there are arguable points available in the Criminal Revision Case and the



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

4. Heard the learned counsel appearing on either side and also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioners, coupled with the quantum of punishment imposed upon the petitioners and taking into consideration the fact that this criminal revision 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. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) the petitioners shall pay the fine amount of Rs.25,000/- (Rupees Twenty Five Thousand only, each as imposed by the appellate Court directly to the second respondent on the date of execution of sureties. Failing which, the order passed by this Court shall stand automatically cancelled.



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(ii) On the failure of the petitioners/accused paying the above said amount, it is open to the trial Court to commit the petitioners/accused into custody for undergoing the sentence.

(iii) On receipt of such payment as stated in clause (i) supra, the sentence of imprisonment alone, imposed on the petitioners/accused, shall be suspended, on his execution of a separate bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(iv) The petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(v) The petitioners shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition 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 355 of BNSS, 2023 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;

6. With the above directions, this Criminal Miscellaneous Petition is ordered.

12.06.2025
(2/3)



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Internet: Yes

Index: Yes/No

Speaking/Non speaking order

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G.K.ILANTHIRAIYAN. J.

mn

To

1. The XVI Additional District and Sessions Court,
Chennai.
2. The XV Metropolitan Magistrate Court,
George Town, Chennai.
3. The Superintendent of Prison,
Central Prison, Puzhal, Chennai.
4. The Sub-Inspector of Police (Law and Order),
H-5, New Washermenpet Police Station,
Chennai-600 021.
5. The Public Prosecutor,
High Court, Madras.

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