



Crl.M.P.Nos.10693 and 10695 of 2025 in Crl.R.C.No.717 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.Nos.10693 and 10695 of 2025
in Crl.R.C.No.717 of 2025

Kalavalli

... Petitioner in both petitions

Vs

The State Rep by,
The Inspector of Police,
Central Crime Branch, Team-XVIII,
Vepery, Chennai-7.
(Ref Cr.No.169/2011).

... Respondent in both petitions

Prayer in Crl.M.P.No.10693 of 2025: Criminal Miscellaneous Petition is filed under Section 528 read with Section 430 of BNSS, 2023, to suspend the sentence imposed in judgment in CC No.5948/2023 dated 19.07.2024 passed by the Court of the Metropolitan Magistrate exclusively for CCB and CBCID Cases, Egmore, Chennai and confirmed by judgment in Crl.A.No.591/2024 dated 13.03.2025 passed by the Court of XVI Additional District and Sessions Court, Chennai pending disposal of the Crl.R.C.No.717/2025.

Prayer in Crl.M.P.No.10695 of 2025: Criminal Miscellaneous Petition is filed under Section 38(1) of BNSS, 2023, to exempt from surrendering before the trial court as per the judgment in CC No.5948/2023 dated 19.07.2024 passed by the Court of the Metropolitan Magistrate exclusively for CCB and CBCID Cases, Egmore, Chennai and confirmed by judgment in Crl.A.No.591/2024 dated 13.03.2025 passed by the Court of XVI Additional District and Sessions Court, Chennai pending disposal of the Crl.R.C.No.717/2025.



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In both Petitions

For Petitioner : Mr.P.N.Vignesh

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

COMMON ORDER

Crl.M.P.No.10693 of 2025 has been filed to suspend the sentence imposed in judgment in CC No.5948 of 2023 dated 19.07.2024 passed by the Court of the Metropolitan Magistrate exclusively for CCB and CBCID Cases, Egmore, Chennai and confirmed by the judgment in Crl.A.No.591 of 2024 dated 13.03.2025 passed by the Court of XVI Additional District and Sessions Court, Chennai.

2. Crl.M.P.No.10695 of 2025 has been filed to exempt the petitioner from surrendering before the Trial Court as per the judgment in CC No.5948 of 2023 dated 19.07.2024 passed by the Court of the Metropolitan Magistrate exclusively for CCB and CBCID Cases, Egmore, Chennai and confirmed by judgment in Crl.A.No.591 of 2024 dated 13.03.2025 passed by the Court of XVI Additional District and Sessions Court, Chennai.

3. Heard both sides and perused the materials available on record.

4. Considering the submissions made by the learned counsel on either



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side, this Court finds no prima facie case to suspend the sentence imposed on the petitioner, since the petitioner had committed very serious offence as against the Society. Therefore, this Court is not inclined to suspend the sentence imposed by the Court of the Metropolitan Magistrate exclusively for CCB and CBCID Cases, Egmore, Chennai in CC No.5948 of 2023 dated 19.07.2024 and confirmed by the judgment in Crl.A.No.591 of 2024 dated 13.03.2025 passed by the Court of XVI Additional District and Sessions Court, Chennai. This Court also not inclined to exempt the petitioner from surrendering before the Trial Court.

5. Accordingly, these Criminal Miscellaneous Petitions are dismissed. The Trial Court is directed to secure the petitioner, in order to comply with the conviction and sentence imposed by the Trial Court, which was also confirmed by the appellate Court.

12.06.2025
(2/2)

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn

G.K.ILANTHIRAIYAN. J.

mn



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- To
1. The XVI Additional District and Sessions Court, Chennai.
 2. The Metropolitan Magistrate exclusively
for CCB and CBCID Cases,
Egmore, Chennai.
 3. The Inspector of Police,
Central Crime Branch, Team-XVIII,
Vepery, Chennai-7.
 4. The Public Prosecutor,
High Court, Madras.

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