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Crl.MP.No.12368 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.06.2025

CORAM:

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

Crl.M.P.No.12368 of 2025

in

Crl.RC.No.913 of 2025

Lakshmanan

...Petitioner

Vs.

The State Rep By:
Inspector of Police,
Anupparpalayam Police Station,
Tiruppur District
(crime No.143 of 2022)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430 & 483 of BNS, praying to suspend the sentence imposed in the judgment dated 16.06.2025 made in CA.No.80 of 2024 on the file of the learned Principal District and Sessions Judge, At Tiruppur confirming the judgment dated 31.01.2024 made in CC.No.752 of 2022 on the file of the learned Judicial Magistrate No.III, Tiruppur and enlarge the petitioner on bail pending disposal of the above revision.



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For Petitioner : Mr.K.Sudhakar

For Respondent : Mr.A.Gopinath,
Government Advocate(crl.side)

ORDER

This Criminal Miscellaneous Petition has been filed, seeking to suspend the sentence imposed in the judgment dated 16.06.2025 made in CA.No.80 of 2024 on the file of the learned Principal District and Sessions Judge, At Tiruppur confirming the judgment dated 31.01.2024 made in CC.No.752 of 2022 on the file of the learned Judicial Magistrate No.III, Tiruppur and to enlarge the petitioner on bail pending disposal of the above revision.

2. The petitioner herein is the accused in CC.No.752 of 2022 on the file of the learned Judicial Magistrate No.III, Tiruppur. He was found guilty of the offences under Section 323 of IPC and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 323 of IPC	to undergo simple imprisonment for a period of six months



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Aggrieved by the same, the petitioner preferred appeal before learned Principal District and Sessions Judge, At Tiruppur in CA.No.80 of 2024, wherein the judgment of the trial court was confirmed, against which criminal revision has been filed before this Court along with the present petition.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate(crl.side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not



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necessary in the findings arrived at by the trial Court.

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5. Heard the learned counsel appearing on either side 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 petitioner, also by considering the submissions of the learned counsel for the petitioner and the learned Government Advocate(crl.side) appearing for the respondent police, further 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.

7. Accordingly, till the disposal of the Criminal Revision, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on his execution of a 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 Judicial



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Magistrate No.III, Tiruppur.

(b) The petitioner/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 petitioner shall report before the Trial Court on the first working day of every week at 10.30 a.m., until the disposal of the Criminal Revision 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.

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

27.06.2025
(2/2)

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

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To

- 1.The learned Principal District and Sessions Judge, At Tiruppur
- 2.The learned Judicial Magistrate No.III, Tiruppur
- 3.Inspector of Police,
Anupparpalayam Police Station,
Tiruppur District
- 4.Central Prison,
Coimbatore
- 5.The Public Prosecutor,
Madras High Court

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Crl.RC.No.913 of 2025

27.06.2025
(2/2)