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Crl.M.P No.14100 of 2025 in
Crl.R.C.No.709 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23.07.2025

CORAM:

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

Crl.M.P.No.14100 of 2025
in
Crl.R.C.No. 709 of 2025

Mohan Raman

.... Petitioner

Vs

The State rep. by
Inspector of Police,
GNT Madhavaram Traffic
Investigation Police Station

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) of Cr.P.C., and Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence of imprisonment passed by the learned IV Additional District Judge, Thiruvallur at Ponneri made in C.A.No.94 of 2021 dated 27.01.2025 confirming the judgment dated 30.11.2021 made in C.C.No.29 of 2018 on the file of the learned Judicial Magistrate No.II, Ponneri

For Petitioner : Mr.S.Deivasigamani
For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence passed by the learned IV Additional District Judge, Thiruvallur at Ponneri made in C.A.No.94 of 2021 dated 27.01.2025 confirming the judgment dated 30.11.2021 made in C.C.No.29 of 2018 on the file of the learned Judicial Magistrate No.II, Ponneri.

2. The petitioner herein is the accused in C.C. No. 29 of 2018 on the file of the learned Judicial Magistrate No.II, Ponneri. He was found guilty of the offence under Sections 279 and 304(A) IPC and he has been convicted and sentenced to pay a fine of Rs.500/- for offence under Section 279 IPC and in default, sentenced to undergo one month simple imprisonment. For the offence under Section 304(A) of IPC, the petitioner was directed to undergo simple imprisonment for a period of one month and in default to undergo 10 months rigorous imprisonments. Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.94 of 2021 and the learned IV Additional District Judge, Sessions Judge, Tiruvallur at Ponneri by order dated 27.01.2025, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that



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

4. Heard the learned counsel appearing for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials placed on record.

5. 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 Additional Public Prosecutor 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. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail,



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on his executing 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 Magistrate No.II, Ponneri

(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 appear before the Trial Court daily 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 revision petition 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 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.

23.07.2025
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Index : Yes/No
Neutral citation : Yes/No



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Speaking/non-speaking order

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G.K.ILANTHIRAIYAN, J.

ssd

To

1. The IV Additional District Judge, Tiruvallur at ponneri
2. The Judicial Magistrate No.II, Ponneri
3. The Central Prison-I, Puzhal, Chennai
4. The State rep. by
Inspector of Police,
GNT Madhavaram Traffic
Investigation Police Station

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