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Crl.M.P.No.13396 of 2025 in
Crl.R.C.No.1016 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2025

CORAM:

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

Crl.M.P.No.13396 of 2025
in
Crl.R.C.No. 1016 of 2025

Premnath

.... Petitioner

Vs

State rep. by its Sub-Inspector
Of police (Law and Order)
H5, New Washermanpet Police Station,
Chennai - 600 081

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence of imprisonment imposed in the judgment dated 20.02.2025 made in C.A.No.226 of 2023 on the file of the learned XVI Additional District and Sessions Judge, Chennai, reversing the order dated 10.02.2021 made in C.C.No.705 of 2018 on the file of the learned Metropolitan Magistrate, George Town, Chennai and enlarge the petitioner on bail pending disposal of the above revision petition.

For Petitioner : Mr.Kaithamalai Kumaran for
Mr.Sudharshana Sunder
For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



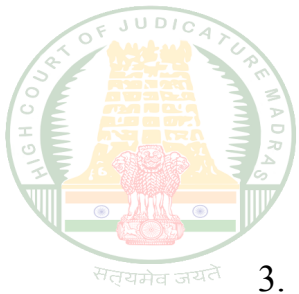
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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in the judgment dated 20.02.2025 made in C.A.No.226 of 2023 on the file of the learned XVI Additional District and Sessions Judge, Chennai, reversing the order dated 10.02.2021 made in C.C.No.705 of 2018 on the file of the learned Metropolitan Magistrate, George Town, Chennai and enlarge the petitioner on bail pending disposal of the above revision petition.

2. The petitioner herein is the accused in **Crl.A.No.226 of 2023 on the file of the learned XVI Additional Sessions Judge, Chennai**. He was found guilty of the offence under Section 506(i) of IPC and sentenced to undergo simple imprisonment for a period of one year and under Section 4 of Tamilnadu Prohibition of Harassment of Women Act, 1998 and sentenced to undergo simple imprisonment for a period of one year and to pay a fine of Rs.25,000/- each and in default to undergo 3 months simple imprisonment. Aggrieved by the same, the present revision has been filed.



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3. The learned counsel for the petitioner/accused would submit that 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 Government advocate (Crl.side) and perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner 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:



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(i) the petitioner shall pay the entire fine amount, after deducting the amount which was already deposited by the petitioner, if any, to the credit of CC.No.705 of 2018 on the file of learned XV Metropolitan Magistrate, George Town, Chennai - 1, within a period of two weeks from the date on which the petitioner is released from prison. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the trial court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) On the failure of the petitioner/accused depositing the above said amount, it is open to the respondent to commit the petitioner/accused into custody for undergoing the sentence.

(iv) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;



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(v) The petitioner 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;

(vi) The petitioner 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 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.

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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

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G.K.ILANTHIRAIYAN, J.

ssd

To

1. The XVI Additional Sessions Judge,
Chennai
2. The XV Metropolitan Magistrate, George Town, Chennai

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