



WEB COPY

CRL MP No. 21333 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21333 of 2025

AND

CRL RC NO. 958 OF 2025

1. Irudayanathan

S/o. Arokiyadoss, No.39/36,
M.H.Colony, 1st Main Road,
Aminjikarai, Chennai - 600029.

Petitioner(s)

Vs

1. The State Rep by its, The Sub -
Inspector of Police,
F-5, Choolaimedu police Station (L and
O), Chennai -94

Respondent(s)

PRAYER

To suspend the sentence imposed by the XVII Additional Sessions Judge Chennai in Crl.A.No.567 of 2024 dated 26.02.2025 confirming the judgement passed by the learned XVII MM Saidapet in C.C.No.268 of 2022 dated on 12.07.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

CRL RC No. 958 of 2025

**CRL MP No. 21333 of 2025**

For Petitioner(s): K Sankar
S.Varsha-ms/1748/2020
T.Vinoth Kumar
G.Sonai Bothi Rajan

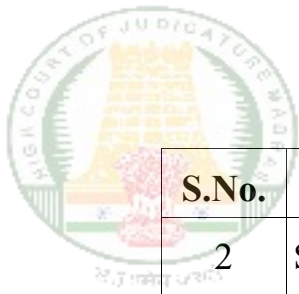
For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to suspend the sentence imposed by the XVII Additional Sessions Judge Chennai in Crl.A.No.567 of 2024 dated 26.02.2025 confirming the judgement passed by the learned XVII MM Saidapet in C.C.No.268 of 2022 dated on 12.07.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

2. The petitioner herein is the accused in C.C.No.268 of 2022 on the file of the learned XVII MM Saidapet. He was found guilty of the offence under Sections 448, 341, 354A, 323, 506(2) IPC and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 341 of IPC	to undergo simple imprisonment for a period of three (1) month and to pay fine of Rs.500/-, in default to undergo simple imprisonment for a week



S.No.	Conviction	Sentence
2	Section 354A of IPC	to undergo Rigorous imprisonment for a period of one (1) year and to pay a compensation of Rs.50,000/-, in default to undergo simple imprisonment for 3 months.
	Section 448 of IPC	to undergo Simple imprisonment for a period of a one year and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for 3 months.
	Section 323 IPC	to undergo Simple imprisonment for a period of a one year and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for 3 months.
	Section 506(ii) IPC	to undergo Simple imprisonment for a period of a two year and to pay a fine of Rs.5,000/-, in default to undergo simple imprisonment for 6 months.

Aggrieved by the same, the petitioner had filed appeal in C.A.No. 567 of 2024 and the learned XVII Session Judge, Chennai, by order dated 26.02.2025, had dismissed the appeal and confirmed the conviction and sentence, against which the present revision has been filed.



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. Further it is his specific submission that the petitioner was enlarged on bail during the time of pendency of the appeal before the first appellate Court and the petitioner may be exempted from surrendering before the Trial Court. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing these petitions. 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 necessary in the findings arrived at by the trial Court.



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. 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 shall deposit a sum of Rs.20,000/- to the credit of CC No. 268 of 2022, on the file of the XVII Metropolitan Magistrate Saidapet. On such deposit, the petitioner/accused is ordered to be released on bail, 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 XVII Metropolitan Magistrate Saidapet. Further, the victim is permitted



to withdraw the said amount.

WEB COPY

(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 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.

7. With the above directions, these Criminal Miscellaneous Petitions are ordered.

13-11-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



WEB COPY

CRL MP No. 21333 of 2025



T.V.THAMILSELVI J.

pbl

To

1. The XVII Metropolitan Magistrate Saidapet.
2. The XVII Session Judge, Chennai

**CRL MP No. 21333 of
2025
AND CRL RC NO. 958
OF 2025**

13-11-2025