



*Crl.M.P.No.14465 of 2025
in Crl.A.No.1467 of 2024*

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:25.07.2025

CORAM:

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

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in

Crl.A.No.1467 of 2024

1. M/s. Sri Saaru Farms,
Prop. M.Prakash,
Sungathottam,
Somanur Privu,
Kunnathoorampalayam,
Avinashi Main Road,
Coimbatore.

2. M.Prakash,
S/o. Murugesan,
D.No.3/193, Vavikkadal,
Near Pumping Station,
No.2, Karumandichettipalayam,
Perundurai Taluk,
Erode District.

...Petitioners

Vs.

The State by its
The Inspector of Police,
Economic Offences Wing-II,
Coimbatore
(Crime No.10 of 2012)
Coimbatore District.

... Respondent



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PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of CrI.P.C. to suspend the sentence of imprisonment imposed in the judgment dated 01.04.2021 made in C.C.No.17 of 2013 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore and enlarge the petitioners on bail pending disposal of this Criminal Appeal before this Court.

For Petitioner : Mr.N.Manoharan

For Respondent : Mr. S.Raja Kumar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed in the judgment dated 01.04.2021 made in C.C.No.17 of 2013 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore and enlarge the petitioners on bail pending disposal of this Criminal Appeal before this Court.



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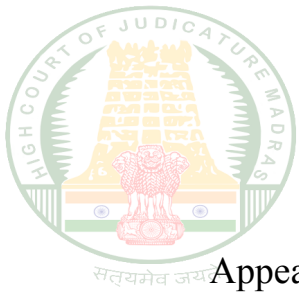
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2. The petitioners herein are the accused in C.C.No.17 of 2013 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore. There were found guilty and have been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 120B r/w. 420 IPC	To undergo 7 years simple imprisonment and a fine of Rs.3,00,000/- in default one year simple imprisonment for each counts.
2	Section 420 IPC	To undergo 7 years simple imprisonment and a fine of Rs.3,00,000/- in default one year simple imprisonment for each counts.
3	Section 406 IPC	To undergo 3 years simple imprisonment and a fine of Rs.3,00,000/- in default nine months simple imprisonment for each counts.
4	Section 5 of TNPID Act	To undergo 10 years simple imprisonment and fine of Rs.3,00,000/- in default to undergo one year simple imprisonment for each counts.

Aggrieved by the same, the Criminal Appeal along with the present miscellaneous petition to suspend the sentence has been filed.

3. The learned counsel for the petitioners/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal



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Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioners are ready to abide the condition imposed by this Court.

4. Per contra, the learned Additional Public Prosecutor 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 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 petitioners, also by considering the submissions of the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent



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police, further this criminal appeal 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 Appeal the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail is granted on the following conditions:

(i) The petitioners are ordered to be enlarged on bail, on condition that the petitioners shall deposit the original deed of a property which is not less than the value of Rs.50,00,000/-, along with the valuation certificate from the concerned authority, to the credit of C.C.No.17 of 2013 on the file of the learned Special Judge, Special Court under TNPID Act, Coimbatore, within a period of four weeks from today (i.e.25.07.2025)

(ii) On such deposit being made, the trial Court is at liberty to attach the said property to auction the same and proceed in accordance with law.

(iii) Thereafter, the sentence of imprisonment alone, imposed on the petitioners/accused shall be suspended, on



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their executing a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(iv) The petitioners 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;

(v) The petitioners shall appear before the Trial Court daily @ 10.30 a.m. for a period of 30 days and thereafter on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the appeal and if they are not able to appear before the trial Court on any day, they 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 their absence, as directed by the trial Court;

(vi) On the failure of the petitioners/accused, depositing the above said amount, it is open to the trial Court to commit the petitioners/accused into custody for undergoing the sentence.



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8. With the above directions, this Criminal Miscellaneous Petition

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is ordered.

25.7.2025

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

To

1. The Special Judge, Special Court under TNPID Act, Coimbatore.
2. The Inspector of Police,
Economic Offences Wing-II,
Coimbatore
3. The Public Prosecutor,
Madras High Court,
Chennai.
4. The Superintendent,
Central Prison,
Coimbatore.



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G.K.ILANTHIRAIYAN, J.

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