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Crl.MP.No.15754 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.08.2025

CORAM:

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

Crl.M.P.No.15754 of 2025

in

Crl.RC.No.1489 of 2025

Puspa Thanraj

...Petitioner

Vs.

The State represented By:
The Inspector of Police,
Q Branch, Chennai
(crime No.5 of 2007)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C., praying to suspend the sentence imposed in the judgment dated 08.08.2023 made in CA.No.53 of 2010 on the file of the Additional District and Sessions Judge, Kancheepuram District @ Chengalpattu by confirming the sentence in SC.No.107 of 2009 dated 17.08.2010 on the file of the Assistant Sessions Judge, Tambaram.

For Petitioner : Mr.D.Mario Johnson

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



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ORDER

This Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed in the judgment dated 08.08.2023 made in CA.No.53 of 2010 on the file of the Additional District and Sessions Judge, Kancheepuram District @ Chengalpattu by confirming the sentence imposed SC.No.107 of 2009 dated 17.08.2010 on the file of the Assistant Sessions Judge, Tambaram.

2. The petitioner herein is the fifth accused in SC.No.107 of 2009 on the file of the Assistant Sessions Judge, Tambaram.. He was found guilty of the offence under Section 13(2) of Unlawful Activities (Prevention) Act, 1967 and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 13(2) of Unlawful Activities (Prevention) Act, 1967	to undergo rigorous imprisonment for a period of one year.

Aggrieved by the same, the petitioner preferred appeal before I Additional District and Sessions Judge, Kancheepuram District @ Chengalpattu in CA.No.53 of 2010, wherein the judgment of the trial court was confirmed,



against which the aforesaid criminal revision has been filed.

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3. The learned counsel for the petitioner/A5 would submit that there are arguable points available in the Criminal Revision and the petitioner/A5 has got a fair chance of succeeding in the Criminal Revision and hence, the substantive sentence imposed against the petitioner/A5 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 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



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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/A5 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 Assistant Sessions Judge, Tambaram.

(b) The petitioner/A5 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 at 10.30 a.m. for a period of 30 days and thereafter appear before the trial court on the first working day of every English



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Calendar month 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.

25.08.2025
(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 Additional District and Sessions Judge, Kancheepuram District @ Chengalpattu
- 2.The Assistant Sessions Judge, Tambaram.
- 3.The Inspector of Police,
Q Branch, Chennai
- 4.Central Prison-I,
Puzhal, Chennai
5. The Public Prosecutor,
Madras High Court

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