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Crl.M.P No.14491 of 2025 in
Crl.A.No.1064 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.07.2025

CORAM:

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

Crl.M.P.No.14491 of 2025
in
Crl.A.No. 1064 of 2025

Selvamani
S/o. Azhagumuthu
No.C-20, Engineer Salai,
Block – 25, Neyveli,
Cuddalore District.

....

Petitioner

Vs

State rep. by the Deputy Superintendent of Police,
Economic Offences Wing – II,
Cuddalore,
Cuddalore District.
(Crime No.1/2010)

....

Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) r/w. 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed against the petitioner in C.C.No.4 / 2012 on the file of the learned Special Judge under TNPID Act, Chennai dated 17.7.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal on the file of this Court.



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For Petitioner : Mr.E.Kannadasan
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioners, to suspend the sentence imposed against the petitioner in C.C.No.4 / 2012 on the file of the learned Special Judge under TNPID Act, Chennai dated 17.7.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal on the file of this Court.

The petitioner herein is the accused in C.C.No.4 / 2012 on the file of the learned Special Judge under TNPID Act, Chennai dated 17.7.2025. He was found guilty and has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 5 of TNPID Act	To undergo rigorous imprisonment for a period of two years and to pay fine of Rs.1,00,000/-, in default to undergo six month simple imprisonment

Aggrieved by the same, the present criminal appeal along with a petition to suspend the sentence 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 Appeal 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 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



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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 Additional Public Prosecutor appearing for the respondent 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. Accordingly, till the disposal of the Criminal Appeal, 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, 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 Special Judge under TNPID Act, Chennai.

(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



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a.m., until the disposal of the appeal 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, this Criminal Miscellaneous Petition is ordered.

25.07.2025

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

bkn

To

1. The Special Judge under TNPID Act, Chennai
2. Deputy Superintendent of Police,
Economic Offences Wing – II,
Cuddalore,
Cuddalore District.
3. The Public Prosecutor,
Madras High Court.

G.K.ILANTHIRAIYAN, J.



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