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Crl.MP.No.15448 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28.08.2025

CORAM:

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

Crl.M.P.No.15448 of 2025

in

Crl.RC.No.1405 of 2025

M.Dharmar

...Petitioner

Vs.

State

Rep by Inspector of Police,
Tiruppur North Police Station,
Tiruppur District
crime No.1311 of 2017

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 1(B) of BNSS, to suspend the sentence imposed in the judgment passed in Crl.A.No.104 of 2022 dated 23.06.2025 on the file of I Additional District & Sessions Judge, Tiruppur in confirming the order of conviction dated 13.07.2022 passed in CC.No.488 of 2018 on the file of the Judicial Magistrate I, Tiruppur and enlarge the petitioner on bail pending disposal of the above criminal revision petition before this Court.



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For Petitioner : M/s.Deepan Uday
For Respondent : Mr.A.Gopinath,
Government Advocate(crl.side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence imposed in the judgment passed in Crl.A.No.104 of 2022 dated 23.06.2025 on the file of I Additional District & Sessions Judge, Tiruppur in confirming the order of conviction dated 13.07.2022 passed in CC.No.488 of 2018 on the file of the Judicial Magistrate I, Tiruppur and to enlarge the petitioner on bail pending disposal of the above criminal revision petition before this Court.

2. The petitioner herein is the accused in CC.No.488 of 2018 on the file of the Judicial Magistrate I, Tiruppur. He was found guilty of the offences under Sections 279, 337 & 304(A) of IPC and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 279 of IPC	to undergo rigorous imprisonment for a period of six months



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S.No.	Conviction	Sentence
2	Section 337 of IPC	to undergo rigorous imprisonment for a period of six months
3	Section 304(A) of IPC	to undergo rigorous imprisonment for a period of one year

Aggrieved by the same, the petitioner preferred appeal before I Additional District & Sessions Judge, Tiruppur in Crl.A.No.104 of 2022, wherein the judgment of the trial court was confirmed, against which the aforesaid criminal revision has been filed.

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



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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.

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/accused is ordered to be released on bail, on his execution of a bond **for a sum of Rs.25,000/-**



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(Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate-I, Tiruppur

(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 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.

28.08.2025
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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 I Additional District & Sessions Judge, Tiruppur
- 2.The Judicial Magistrate I, Tiruppur
- 3.Inspector of Police,
Tiruppur North Police Station,
Tiruppur District
- 4.District Jail,
Tiruppur
5. The Public Prosecutor,
Madras High Court

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in
Crl.RC.No.1405 of 2025

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