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*Crl.M.P.No.16197 of 2025
in Crl.RC.No.1566 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

CORAM:

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

Crl.M.P.No.16197 of 2025
in
Crl.RC.No.1566 of 2025

Rajan @ Sivarajan @ Manikandan

...Petitioner

Vs.

The State Rep By its,
The Inspector of Police
Rasipuram Police Station, Namakkal,
Crime No. 1671 of 2020

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 397 (1) & 401 of Cr.P.C., to suspend the sentence imposed on the petitioner in connection with the judgment passed in C.A.No.41 of 2023, on the file of the learned 1st Additional Sessions Judge, Namakkal, dated 05.10.2023 confirming the conviction passed by the Judicial Magistrate, Rasipuram by judgment dated 29.08.2022, in C.C.No.27 of 2021, and enlarge the petitioner on bail.



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For Petitioner : Mr.M.Mohamed Saifulla

For Respondent : Mr.A.Gopinath
Government Advocate

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Judicial Magistrate, Rasipuram, in C.C.No.27 of 2021, dated 29.08.2022 and confirmed by the learned 1st Additional Sessions Judge, Namakkal, in C.A.No.41 of 2023, dated 05.10.2023.

2. The petitioner, who is an accused in C.C.No.27 of 2021 was convicted and sentenced by the learned Judicial Magistrate, Rasipuram, vide judgment dated 29.08.2022, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
A1	457 IPC	to undergo rigorous imprisonment for a period of 03 years and to pay fine of Rs.100/-.
	380 IPC	to undergo rigorous imprisonment for a period of 03 years and to pay fine of Rs.100/-. In default to pay the fine amount, to undergo one month simple imprisonment.



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3. Heard the learned counsel for the petitioner and the learned Government Advocate for the respondent.

4. This Court finds no reasons to suspend the sentence since the petitioner failed to make out a *prima facie* case and the petitioner is a habitual offender involving in similar type of offences and having 25 cases pending against him.

5. In the result, the petition for suspension of sentence is dismissed.

26.08.2025
(2/2)

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

sli

G.K.ILANTHIRAIYAN, J.



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To

1.The 1st Additional Sessions Judge,
Namakkal.

2.The Judicial Magistrate,
Rasipuram.

3.The Public Prosecutor,
High Court of Madras,
Chennai.

4.The Inspector of Police
Rasipuram Police Station, Namakkal,
Crime No. 1671 of 2020

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(2/2)