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Crl.M.P.No.15445 of 2025
in Crl.RC.No.1403 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED:18.08.2025

CORAM:

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

Crl.M.P.No.15445 of 2025

in

Crl.RC.No.1403 of 2025

1. Jayasurya

2. Chinraj

...Petitioners

Vs.

The State by its
Inspector of Police,
Nallur Police Station
Crime No. 1214 of 2021

Tiruppur District.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438 r/w. 447 of BNSS, 2023 to suspend the sentence of imprisonment imposed in the judgment dated 19.07.2025 made in C.A.No.220 of 2024 on the file of the Principal Sessions Judge, Tiruppur confirming the conviction imposed in judgment dated 05.06.2024 made in C.C.No.142 of 2022 on the file of the Judicial Magistrate No.IV, Tiruppur and enlarge the petitioner on bail pending disposal of the above revision petition.



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For Petitioner : Mr.A.Saravanan

For Respondent : Mr. A.Gopinath
Government Advocate (Crl. Side)

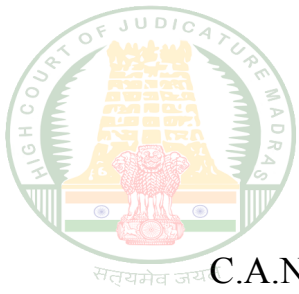
ORDER

This Criminal Miscellaneous Petition has been filed by the petitioners, to suspend the sentence of imprisonment imposed in the judgment dated 19.07.2025 made in C.A.No.220 of 2024 on the file of the Principal Sessions Judge, Tiruppur confirming the conviction imposed in judgment dated 05.06.2024 made in C.C.No.142 of 2022 on the file of the Judicial Magistrate No.IV, Tiruppur and enlarge the petitioners on bail pending disposal of the above revision petition.

2. The petitioners herein are the accused in C.C.No.142 of 2022 on the file of the Judicial Magistrate No.IV, Tiruppur. They were found guilty of the offences and convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 324 IPC	Each to undergo four months rigorous imprisonment and each to pay a fine of Rs.5,000/- in default to undergo one month rigorous imprisonment.

Aggrieved by the same, the petitioners have preferred a Criminal Appeal in



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C.A.No.220 of 2024 and the Principal Sessions Judge, Tiruppur has confirmed the order of conviction and sentence passed by the trial Court. Aggrieved by the same a Criminal Revision petition along with the present miscellaneous petition has been filed.

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



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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 Government Advocate 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 is granted on the following conditions:

(a) The petitioners/accused are ordered to be released on



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bail, on their executing a separate 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 Judicial Magistrate No.IV, Tiruppur.

(b) The petitioners/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 petitioners shall appear before the Trial Court daily at 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 Criminal Revision and if they are not able to appear before the trial Court on the said day, they 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 their absence, as directed by the trial Court.

8. With the above directions, this Criminal Miscellaneous Petition is ordered.

18.08.2025

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G.K.ILANTHIRAIYAN, J.
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To

1. The Judicial Magistrate No.IV, Tiruppur.
2. The Principal Sessions Judge, Tiruppur.
3. Inspector of Police,
Nallur Police Station
Tiruppur District.
4. The Public Prosecutor,
Madras High Court,
Chennai.
5. The Superintendent,
Central Prison,
Coimbatore.

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