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*Crl.M.P.No.15189 of 2025  
in Crl.R.C.No.717 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07.08.2025

CORAM:

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

Crl.M.P.No.15189 of 2025  
in  
Crl.R.C.No.717 of 2025

Kalavalli

...Petitioner

Vs.

The State rep. By  
The Inspector of Police,  
Central Crime Branch, Team XVIII  
Veperty, Chennai -7

... Respondent

**PRAYER:** Criminal Miscellaneous Petitions filed under Section 528 r/w 430 BNSS to suspend the sentence in Judgment in C.C.No.5948 of 2023 dated 19.07.2024 passed by the learned Metropolitan Magistrate, exclusively for CCB and CBCID cases, Egmore, Chennai and confirmed by Judgment in Crl.A.No.591 of 2024 dated 13.03.2025 passed by the learned XVI Additional District and Sessions Court, Chennai pending disposal of the Criminal Revision petition.



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For Petitioner : Mr.P.N.Vignesh

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

### **ORDER**

The Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned XVI Additional District and Sessions Court, Chennai, in C.A.No.591 of 2024 dated 13.03.2025, by confirming the judgment and sentence passed in C.C.No.5948 of 2023 dated 19.07.2024, by the learned Metropolitan Magistrate exclusively for CCB an CBCID Cases, pending disposal of the present Revision.

2. The petitioner herein is the accused in C.C.No.5948 of 2023 on the file of the learned Metropolitan Magistrate, exclusively for CCB and CBCID Cases, Egmore Uthangarai. She was found guilty of the offence under Sections 120(b), 465, 468(2 Counts), 419 r/w 34 or 109, 420(2 Counts), 471 r/w 468 of IPC and she has been convicted and sentenced as under:



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| S.No. | Conviction              | Sentence                                                                                                                                                             |
|-------|-------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1     | Section 120(b) of IPC   | to undergo rigorous imprisonment for a period of six (6) months                                                                                                      |
| 2     | Section 465 of IPC      | to undergo rigorous imprisonment for a period of two (2) years and to pay compensation of Rs.2,000/- and in default to undergo 3 months rigorous imprisonment        |
| 3     | Section 468 of IPC      | to undergo rigorous imprisonment for a period of three (3) years and to pay compensation of Rs.2,000/- and in default to undergo 3 months rigorous imprisonment      |
| 4     | Section 419 of IPC      | to undergo rigorous imprisonment for a period of three (3) years and to pay compensation of Rs.2,000/- and in default to undergo 3 months rigorous imprisonment      |
| 5     | Section 420 of IPC      | to undergo rigorous imprisonment for a period of three (3) years and to pay compensation of Rs.2,000/- and in default to undergo 3 months rigorous imprisonment each |
| 6     | Section 471 r/w 468 IPC | to undergo rigorous imprisonment for a period of three (3) years and to pay compensation of Rs.2,000/- and in default to undergo 3 months rigorous imprisonment      |

Aggrieved by the same, the petitioner had filed appeal in C.A.No.591 of 2024 and the XVI Additional District and Sessions Court, Chennai, by order dated 13.03.2025, had dismissed the appeal and confirmed the conviction and sentence, against which the present revision 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 Revision Case 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 also submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing the 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.



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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. Accordingly, till the disposal of the Criminal Revision Case, 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 her 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 Metropolitan Magistrate for CCB & CBCID Cases, Egmore, 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.



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(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 revision petition and if she is not able to appear before the trial Court on any day, she 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 her absence, as directed by the trial Court.

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

07.08.2025  
( $\frac{1}{2}$ )

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

ssd



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To

1. The Metropolitan Magistrate, exclusively for CCB and CBCID cases,  
Egmore, Chennai
2. The XVI Additional District and Sessions Court, Chennai
3. The State rep. By  
The Inspector of Police,  
Central Crime Branch, Team XVIII  
Veperty, Chennai -7
4. The Public Prosecutor,  
Madras High Court,  
Chennai.



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**G.K.ILANTHIRAIYAN, J.**

ssd

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