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Crl.M.P No.15145 of 2025 in
Crl.R.C.No.1333 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.15145 of 2025
in
Crl.R.C.No. 1333 of 2025

Raju @ Jappan Raja

.... Petitioner

Vs

The State rep. By
Sub Inspector of Police,
Uthukuli Police Station

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed on the petitioner in C.A.No.41 of 2025 dated 01.07.2025 on the file of the learned II Additional District and Sessions Court, Tiruppur confirmed by the learned District Munsif cum Judicial Magistrate Court, Uthukuli in C.C.No.189 of 2023 dated 16.12.2024

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



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in C.A.No.41 of 2025 dated 01.07.2025 on the file of the learned II Additional District and Sessions Court, Tiruppur confirmed by the learned District Munsif cum Judicial Magistrate Court, Uthukuli in C.C.No.189 of 2023 dated 16.12.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C.No.189 of 2023 on the file of the learned District Munsif cum Judicial Magistrate, Uthukuli. He was found guilty of the offence under Sections 454 and 380 of IPC. Insofar as offence under Section 454 IPC, the petitioner was directed to undergo three years simple imprisonment and to pay a fine of Rs.10,000/-, in default to undergo two months simple imprisonment. Insofar as offence under Section 380 of IPC, the petitioner was directed to undergo 3 years simple imprisonment and to pay a fine of Rs.10,000/- in default to undergo two months simple imprisonment. Aggrieved by the same, the petitioner had filed an appeal in C.A.No.41 of 2025 and the learned II Additional District & Sessions Judge, Tiruppur, by an order dated 01.07.2025, had dismissed the above appeal,



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confirming the judgment and sentence imposed by the trial Court. Aggrieved
by the same, 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 submit that the petitioner is ready to abide any condition to be imposed by this Court.

4. Heard the learned counsel appearing for the petitioner and the learned Government Advocate (Crl.Side) for the respondent also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that 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,



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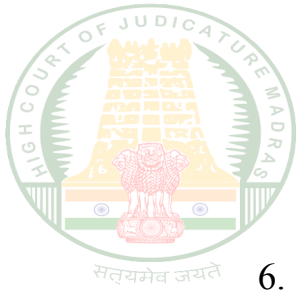
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the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(v) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(vi) The petitioner shall appear before the Trial Court daily at 10.30 a.m., for a period of thirty days and thereafter, on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition 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;



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ordered.

6. With the above directions, this Criminal Miscellaneous Petition is

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(2/2)

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

ssd



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G.K.ILANTHIRAIYAN, J.

ssd

To

1. The II Additional District and Sessions Court, Tiruppur
2. The District Munsif cum Judicial Magistrate Court, Uthukuli
3. The State rep. By Sub Inspector of Police, Uthukuli Police Station

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