



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 16712 of 2025

IN

CRL RC NO. 1635 OF 2025

PARKAVI

S/o.Chellaiah, Sathyamoorthi Street,
Therukuthuru Village, Melur Taluk,
Madurai District.

Petitioner(s)

Vs

The State Through, The Inspector of
Police,
All Women Police Station, Tiruppur
South. Cr.No.33/2010.

Respondent(s)

PRAYER

To suspend the sentence imposed against the petitioner by learned Additional Mahila Court, Tiruppur in CC No.403/2013 dated 21.02.2023 and confirmed by learned Sessions Judge, Special Court for Trial of Cases under Scheduled Castes and Scheduled Tribes (PoA) Act, 1989, Tiruppur in C.A.No.101/2023 dated 09.07.2025 and enlarge the petitioner on bail pending disposal of the said Criminal Revision Case No.1635/2025.



For Petitioner(s): Mr.P.Amardeep for
M/s. Tamizh Law Firm

For Respondent(s): Dr.C.E.Pratap,
Govt. Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Special Court for Trial of cases under the SC and ST (Prevention of Atrocities) Act, 1989, Tiruppur in Crl.A. No. 101 of 2023 dated 09.07.2025 confirming the judgment dated 20.12.2023 made in C.C.No.403 of 2013 on the file of Addl. Mahila Court, Tiruppur and enlarge the petitioner on bail pending disposal of the above Criminal Revision Case.

2. The petitioner herein is the accused in C.C.No.403 of 2013 on the file of the learned Addl. Mahila Court, Tiruppur. He was found guilty of the offences under Section 494 of IPC/BNS and they have been convicted and sentenced to undergo simple imprisonment for three years and to pay fine of Rs.1000/-. Aggrieved by the same, the petitioner had preferred an appeal in Crl. A.No. 101 of 2023 before the Sessions Judge, Special Court for trial of cases under SC and ST (PoA) Act and the same was also dismissed by confirming the findings of trial court. Challenging the said findings, he preferred filed this Criminal Revision case along with the present miscellaneous petition.



3. The learned counsel for the petitioner/accused would submit that he has been falsely implicated in this case as if he married another woman, when the first wife was alive. He would also submit that there are arguable points available in the Criminal Revision Case and the petitioners/accused have got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioners/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 (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition and contended that He would submit that he was in custody from 18.03.2011 to 03.05.2011 and he was on bail throughout the trial. Further, he would contend that he has no bad antecedents and 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.



6. On seeing the facts, it reveals that he was in custody from 18.03.2011 to 03.05.2011 and he was on bail throughout the trial and he was on bail in the Criminal Revision Case also and he has no bad antecedents and he is ready to abide any condition imposed by this court. Considering that and 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 Case 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 Case, 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 **shall deposit a sum of Rs.50,000/- (Rupees Fifty Thousand only) for her mental agony to the credit of C.C.No.403 of 2013 on the file of learned Addl. Mahila Court, Tiruppur within a period of six weeks from the date of receipt of copy of this order. Failing which, the order passed by this Court shall stand automatically**



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cancelled. On such deposit, the defacto complainant is permitted to withdraw the amount on filing undertaking affidavit and on production of proper identification and acknowledgement.

(b) The petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each, in which one surety must be a blood surety, for a like sum to the satisfaction of the learned **Special Court for Exclusive Trial of cases registered under the SC and ST (Prevention of Atrocities) Act, 1989, Tiruppur.**

(c) 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.

(d) **The petitioner shall report before the respondent police as when required for interrogation and he shall also 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 Case** 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.

9. Post the matter after two months.

27-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Sessions Judge, Special Court for trial of cases under SC / ST (PoA) Act, Tiruppur.

2. Addl. Mahila Court, Tiruppur.

3. The Inspector of Police,
All Women Police Station, Tiruppur South.

4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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