



Crl.M.P.No.15712 of 2025 in Crl.R.C.No.1477 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.15712 of 2025
in Crl.R.C.No.1477 of 2025

Murugesan

... Petitioner

Vs

State represented by,
The Sub Inspector of Police,
Anupparpalayam Police Station,
Tiruppur.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 438(1) of BNSS, 2023, to suspend the execution of the sentence made in the Judgment dated 21.06.2025 in Criminal Appeal No.256 of 2023 passed by the Hon'ble Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur confirming the judgment dated 16.05.2023 in C.C.No.33 of 2018 passed by the Hon'ble Judicial Magistrate, Additional Mahila Court, Tiruppur and enlarge the petitioner on bail pending disposal of the above Criminal revision.

For Petitioner : Mr.P.Thinesh

For Respondent : Mr.A.Gopinath

Government Advocate (Crl.side)

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in Criminal Appeal No.256 of 2023 dated 21.06.2025 by the Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur, confirming the conviction and sentence ordered in C.C.No.33 of 2018 dated 16.05.2023 on the file of Judicial Magistrate, Additional Mahila Court, Tiruppur.

2. The petitioner herein is the accused in C.C.No.33 of 2018 on the file of the Fast Track Court Magisterial Level, Tiruvallur. He was found guilty for the offence punishable under Section 323 of IPC and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1.	Section 323 of IPC	to undergo three months simple imprisonment

Aggrieved by the same, the petitioner has filed this criminal revision along with the present miscellaneous petition.

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 the condition imposed by this Court. He further submitted that now the petitioner was arrested and remanded to judicial custody and confined in Central Prison, Tiruppur.

4. Heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

5. 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, 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 is ordered to be released on bail, on his 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 Judicial Magistrate, Additional Mahila Court, Tiruppur.



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(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.

(c) The petitioner shall appear before the Trial Court daily at 10.30 a.m for a period of 15 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.

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

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Internet: Yes
Index: Yes/No
Speaking/Non speaking order
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To

1. The Sessions Judge,
Special Court for Trial of Cases
under SC/ST (POA) Act, Tiruppur.
2. The Judicial Magistrate,
Additional Mahila Court,
Tiruppur.
3. The Superintendent,
Central Prison, Tiruppur.
4. The Public Prosecutor,
High Court, Madras.



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G.K.ILANTHIRAIYAN. J.

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