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CRL MP No. 18709 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 08-10-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL MP No. 18709 of 2025**

**IN**

**CRL RC NO. 1978 OF 2025**

P. Rajasekaran

S/o.Pragalathan, 35, Gandhi Road,  
Perungalathur, Chengalpattu District

Petitioner(s)

Vs

P.Gopinath

S/o.K.N.Ponnurangam alies Raman,  
NO.1, Gangai amman Koil Street,  
Karanai Puducherry, Kancheeepuram  
District now Chengalpattu District K.N.  
Ponnurangam @ Raman Died, S/o.  
Nagappa Naicker.

Respondent(s)

**PRAYER**

To suspend the sentence imposed upon the petitioner by the Additional Sessions Judge, Chengalpet in Crl.A.No.47 of 2011 dated 08.06.2011 by the Judicial Magistrate, Tambaram pending disposal of the Criminal Revision Petition.

For Petitioner(s): Mr.R. Vijayakumar

**ORDER**

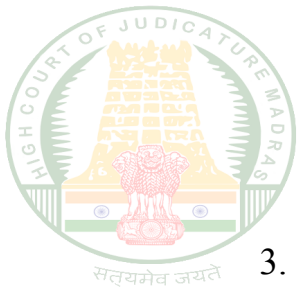
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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Addl. Sessions Judge, Chengalpet in Crl.A.No.47 of 2011, dated 16.06.2025, confirming the Judgment dated 08.06.2011 passed in C.C.No.282 of 1998 by the learned Judicial Magistrate, Tambaram and enlarge the petitioner on bail pending disposal of the above Criminal Revision Case.

2. The petitioner herein is the 1<sup>st</sup> accused in C.C No. 282 of 1998 on the file of the learned Judicial Magistrate, Tambaram. He was found guilty of the offences under Section 467, 471 and 120(B) of IPC/BNS and he has been convicted and sentenced as under:

| S.No. | Conviction            | Sentence                                                     |
|-------|-----------------------|--------------------------------------------------------------|
| 1     | Section 467 of I.P.C. | to undergo rigorous imprisonment for a period of three years |
| 2     | Section 471 of IPC    | to undergo rigorous imprisonment for a period of three years |
| 3     | Sec. 120(B) of I.P.C. | To undergo rigorous imprisonment for a period of six months  |

Aggrieved by the same, the petitioner had filed this Criminal Revision Case and consequently, he filed the present miscellaneous petition.



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3. The learned counsel for the petitioner/accused would submit that he is ranked as A1, who is step-brother of defacto complainant. He would submit that as per the Second Will executed by his father, he is enjoying the property, but the defacto complainant falsely claimed that the said Will was fabricated by the Revision Petitioner, but it has not been properly appreciated by the trial judge. He would also submit that the charges are also not been proved, without which, he was convicted as such is illegal and the same is liable to be set aside. He would submit that he is having valid defence to prove his case and 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 petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

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

5. Considering the fact that the charges are not proved as against the petitioner, without which, he was convicted as such is perverse and liable to be set aside 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 appeal 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.

6. 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, 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 their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, **in which one surety must be a blood surety**, each for a like sum to the satisfaction of the **learned Addl. Sessions Judge, Chengalpattu.**

(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 as and when required.**

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

**08-10-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Addl. Sessions Judge, Chengalpet.

2. Judicial Magistrate, Tambaram.



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**T.V.THAMILSELVI J.**

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