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Crl.M.P.No.16696 of 2025 in
Crl.R.C.No.1634 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.09.2025

CORAM:

THE HON'BLE **MRS JUSTICE T.V.THAMILSELVI**

Crl.M.P.No.16696 of 2025
in
Crl.R.C.No. 1634 of 2025

Balasubramani

.... Petitioner

Vs

The State Rep by,
The Sub Inspector of Police,
Paramathi Police Station,
Namakkal District.
Cr.No.13/2022.

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed on the petitioner by the learned Principal District Judge, Namakkal in C.A.No.51/2023 dated 28.07.2025 confirming the Judgment and conviction and sentence passed by the Learned Judicial Magistrate, Paramathy in CC.No.38/2022 dated 22.02.2023 and enlarge the petitioner on bail till the disposal of the above Crl.R.C.No.1634/2025.

For Petitioner : Mr.R.Suryanarayanan

For Respondent : Mr.Dr.C.E.Pratap
Government Advocate (Crl.Side)



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Judicial Magistrate, Paramathy in C.C.No.38 of 2022 dated 22.02.2023 and the same has been confirmed by the learned Principal District Judge, Namakkal in C.A.No.51 of 2023 dated 28.07.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C.No.38 of 2022 on the file of the learned Judicial Magistrate, Paramathy. He was found guilty of the offence under Section 379 read with 34 of IPC and he has been convicted and sentenced to undergo simple imprisonment for a period of one year and to pay a fine of Rs.500/-, in default of payment of compensation, in default, the petitioner shall undergo a simple imprisonment for a period of three months as default sentence. Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.51 of 2023 and the learned Court of Principal District Judge, Namakkal, by order dated 28.07.2025, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the present revision has been filed.



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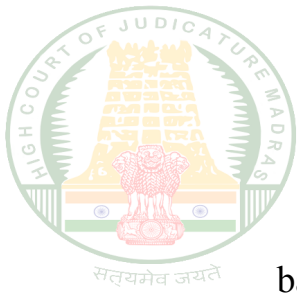
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3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive 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 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, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on



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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 trial Court;

(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 on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Revision 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;

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

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

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1. The Judicial Magistrate, Paramathy
2. The Principal District Judge, Namakkal
3. The Sub Inspector of Police,
Paramathi Police Station,
Namakkal District.
4. The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI, J.

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