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CRL MP No. 18271 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 18271 OF 2025 IN
CRL RC No. 1869 of 2025
AND CRL MP NO. 18273 OF 2025**

1. KATHIRESAN

S/o.Raja, Koothanur, Mallikundam
Post, Mallikundam Village, Mettur
Taluk, Salem District.

Petitioner(s)

Vs

1. The State Rep by Its

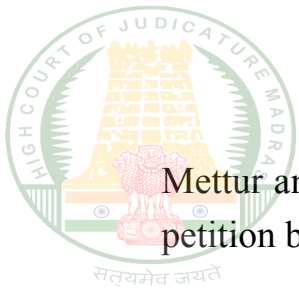
The Inspector of Police, Mechari Police
Station, Salem District Cr.No.270 of
2018

Respondent(s)

CRL MP No. 18271 of 2025

PRAYER

To Suspend the sentence of imprisonment imposed in Judgment dated 03.05.2024 made in STC.No.590 of 2021 on the file of the Judicial Magistrate No.II, Mettur and which was confirmed in the judgment dated 28.03.2025 made in Crl.A.No.210 of 2024 on the file of the Additional District Judge (FTC),



Mettur and enlarge the petitioner on bail pending disposal of the above revision petition before this Honorable Court.

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CRL RC No. 1869 of 2025

For Petitioner(s): D.Lakshmipathy
G.Priyavadhana

For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to Suspend the sentence of imprisonment imposed in Judgment dated 03.05.2024 made in STC.No.590 of 2021 on the file of the Judicial Magistrate No.II, Mettur and which was confirmed in the judgment dated 28.03.2025 made in CrI.A.No.210 of 2024 on the file of the Additional District Judge (FTC), Mettur and enlarge the petitioner on bail pending disposal of the above revision petition.

2. The petitioner herein is accused in STC.No.590 of 2021 on the file of the Judicial Magistrate No.II, Mettur. He found guilty for the offence under Section 279 IPC and 304(A) IPC and sentenced to undergo simple imprisonment for six months and to pay a fine of Rs.5000/-, in default, to undergo simple imprisonment for one month under Section 255(2) Cr.P.C. Aggrieved over the same, the petitioner herein filed the appeal in CrI.A.No.210



of 2024 on the file of the Additional District Judge (FTC), Mettur. After considering the oral and documentary evidence, the first appellate Court confirmed the findings of the Trial Court. Challenging the judgement passed by the courts below the petitioner filed this appeal and seeks to suspend the sentence.

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. Further it is his specific submission that the petitioner was enlarged on bail during the time of pendency of the appeal before the first appellate Court and the petitioner may be exempted from surrendering before the Trial Court. 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 these



petitions. Further, he would contend that 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. 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 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:



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(a) The petitioner/accused 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 No.II, Mettur.

(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 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.

7. With the above directions, CRL MP NO. 18271 OF 2025 is ordered. In view of order passed in CRL MP NO. 18271 OF 2025, CRL MP NO. 18273 OF 2025 is closed.

10-10-2025

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CRL MP No. 18271 of 2025



To

1. The Additional District Judge (FTC), Mettur.
2. The Judicial Magistrate No.II, Mettur.
3. The Central Prison, Coimbatore.
4. The Public Prosecutor High Court, Madras.
5. The Inspector of Police, Mechari Police Station, Salem District

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CRL MP No. 18271 of 2025



T.V.THAMILSELVI J.
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**CRL RC No. 1869 of
2025
AND CRL MP NO.
18271 OF 2025,CRL MP
NO. 18273 OF 2025**

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