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Crl.M.P.No.17614 of 2025 in
Crl.R.C.No. 1768 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.09.2025

CORAM:

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

Crl.M.P.No. 17614 of 2025
Crl.RC.No.1768 of 2025

Chinnadurai

.... Petitioner

Vs

State rep. By
SHO
Nellikuppam Police Station
Cuddalore District
Crime No. 1512 of 2020

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) and 482 of Criminal Procedure Code, praying to suspend the sentence imposed on the petitioner by judgment dated 08.04.2024 passed in C.C.No. 5 of 2022 on the file of the learned Judicial Magistrate No.1, Cuddalore confirmed in judgment dated 31.07.2025 passed in Crl.A.No. 29 of 2024 on the file of the learned I Additional District and Sessions Court, Cuddalore pending disposal of the main criminal revision case and enlare the petitioner on bail.



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For Petitioner : N.U.Pressanna
For Respondent : Dr.C.E.Pratap
Government Advocate (Criminal Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking to suspend the sentence passed in C.C.No. 5 of 2022 dated 08.04.2024 by the learned Judicial Magistrate No.I, Cuddalore, confirmed in judgment passed in Crl.A.No. 29 of 2024 dated 31.07.2025 by the I Additional District and Sessions Court, Cuddalore, pending disposal of the main Criminal Revision Petition.

2.The petitioner herein is the accused in C.C.No. 5 of 2022 on the file of the Judicial Magistrate No.I, Cuddalore. He was found guilty of the offence under Section 304(A) of IPC and he has been convicted and sentenced to undergo simple imprisonment for a period of one and half years and awarded to pay the fine of Rs.5000/-, in default of payment of fine, the petitioner shall undergo a simple imprisonment for a period of two weeks as default sentence. Aggrieved by the same, the petitioner had filed an appeal in Crl.A.No. 29 of 2024 and the learned I Additional District and Sessions Court, Cuddalore, by



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judgment dated 31.07.2025, 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.

3.The learned counsel for the petitioner/accused submitted 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. He further submitted that the petitioner has paid the fine amount of Rs.5,000 and he has no previous case, no individual witness was examined and has been falsely implicated in this case. Hence, the substantive sentence imposed against the petitioner/accused may be suspended. He submitted that the petitioner is ready to abide any condition to be imposed by this Court.

4.Learned Government Advocate (Criminal side) raised his objection for suspending the sentence of conviction and submitted that the respondent police conducted search and seized the material objects from the petitioner.

5.Heard the learned counsel appearing on either side and also perused the materials placed on record.



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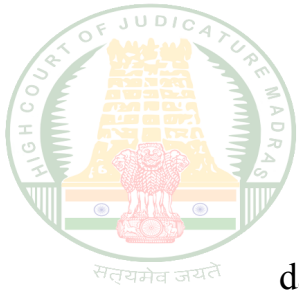
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6.Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that this criminal revision is not likely to be taken for final hearing 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:

(i) On the petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;

(iii) 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



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day in lieu of the date of his absence, as directed by the trial
Court;

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

19.09.2025

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

MSM



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T.V.THAMILSELVI, J.

MSM

To

- 1.The Judicial Magistrate No.1, Cuddalore.
- 2.The I Additional District and Sessions Court, Cuddalore.
- 3.The Public Prosecutor, High Court, Madras.

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