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CRL MP No. 17557 & 17565 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP Nos. 17557 & 17565 of 2025

in

CRL RC No.744 of 2025

Geo Thomas
S/o.Thomas,
Naysery House, Periyar Lane Aluva,
Thottakattukara, Ernakulam, Kerala.

Petitioner(s)

Vs

State Rep by
The Inspector of Police,
PEW-Unit, Coimbatore City,
Coimbatore District.
Crime No.7/2011

Respondent(s)

PRAYER in CRL MP No. 17557 of 2025: Criminal Miscellaneous Petition filed under Section 528 of BNSS, to EXEMPTION FROM SURRENDER of the petitioner before the I Additional District and Sessions Judge, Coimbatore in Crl.A.No.74 of 2023, Judgment dated 20.11.2024 confirming the order passed by the Judicial Magistrate No.III, Namakkal in C.C.No.170 of 2012 Judgment dated 16.12.2022 and thus render justice.



PRAYER in CRL MP No. 17565 of 2025: Criminal Miscellaneous Petition filed under Section 438(1) of BNSS, to suspend the sentence made under Judgment dated 22.11.2024 in CrI.A.No.74 of 2023, on the file of the I Additional District and Sessions Judge, Coimbatore, confirming the conviction and sentence in the Judgment dated 16.12.2022 made in C.C.No.170 of 2012, on the file of the Judicial Magistrate No.III, Coimbatore, pending disposal of the above Criminal Revision Petition and thus render justice.

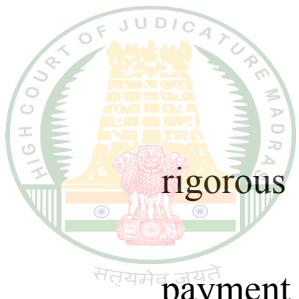
For Petitioner(s): Mr.S.N.Arun Kumar

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

COMMON ORDER

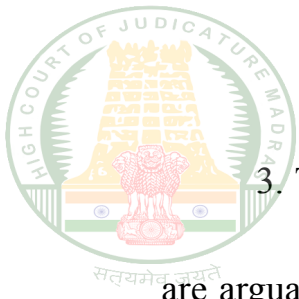
The Criminal Miscellaneous Petition viz., CrI.M.P.No.17565 of 2025 has been filed to suspend the sentence made under Judgment dated 22.11.2024 in CrI.A.No.74 of 2023, on the file of the I Additional District and Sessions Judge, Coimbatore, confirming the conviction and sentence in the Judgment dated 16.12.2022 made in C.C.No.170 of 2012, on the file of the Judicial Magistrate No.III, Coimbatore, pending disposal of the above Criminal Revision Petition.

2. The petitioner is the accused in C.C.No.170 of 2012 dated 16.12.2022 was convicted (i) under Section 4(1)(a) of TNP Act and sentenced to one year



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rigorous imprisonment and to pay a sum of Rs.1,000/- in default of fine payment simple imprisonment for 3 months; (ii) under Section 4(1)(aaa) of TNP Act and sentenced to one year rigorous imprisonment and to pay a sum of Rs.10,000/- in default of fine payment simple imprisonment for 3 months; (iii) under Section 5 of TNP Act and sentenced to three years rigorous imprisonment and to pay 10,000/- in default of fine payment simple imprisonment of 3 months; (iv) Rule 7 TNRS Rules 2000 r/w.11 of TNP Act, fine imposed Rs.500 and in default of fine payment simple imprisonment for 3 months; (v) under Section 468 IPC and sentenced to 3 year imprisonment and to pay Rs.10,000/- in default of fine payment simple imprisonment for 3 months; (vi) under Section 471 IPC and sentenced to three year rigours imprisonment and to pay Rs.10,000/- in default of fine payment simple imprisonment for 3 months; (vii) under Section 25(1)(B)(a) r/w. 3 of Arms Act 1959 and sentenced to one year rigorous imprisonment and to pay Rs.1,000/- in default of fine payment simple imprisonment of 3 months. Aggrieved by the same, the petitioner has filed the above appeal along with this petition seeking suspension of sentence.



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3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended.

He further submitted that the petitioner is an innocent person and he has been falsely implicated in this case. It is also submitted that fine amount imposed on the petitioner has already been paid before the trial Court. Hence, the petitioner prayed for suspension of sentence.

4. The learned Government Advocate appearing for the respondent raised his objection for grant of suspension of sentence. However, he fairly submits that the petitioner has no previous case.

5. Heard the learned counsel for the petitioner as well as the learned Government Advocate appearing for the respondent and also the perused the materials available on record.



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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 that the fine amount has been paid, 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. Accordingly, till the disposal of the Criminal Appeal, 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 executing a 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 from his native place viz., Kerala** for a like sum to the satisfaction of the **learned Judicial Magistrate-III, Coimbatore.**

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Trial Court may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure



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their identities.

(c) The petitioner shall appear before the respondent police on every Saturday at 10.30 a.m., until the disposal of the Criminal Appeal and if he is not able to appear before the respondent police on any day, he intimate the same to the respondent police well in advance and shall appear on any other day as directed by the respondent police in lieu of the date of his absence, as directed in this order.

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

8. In view of the order passed in CrI.M.P.No.17565 of 2025, the petition for exemption to surrender in CrI.M.P.No.17557 of 2025 is closed.

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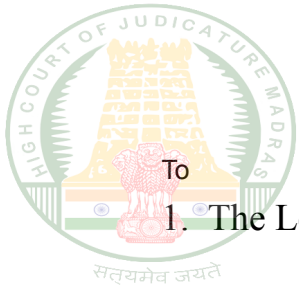
Jd

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The Learned Judicial Magistrate-III, Coimbatore.

WEB 2. The Public Prosecutor,
High Court, Chennai.



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T.V.THAMILSELVI J.
jd

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