



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 17812 of 2025

in

CrI.R.C.No.1353 of 2025

1. Kachaa @ Apsal
S/o.Basha, Veeranam Main Road,
Opposite Narasimman Kovil,
Ponnammapettai, Salem District.

Petitioner(s)

Vs

1. State by Inspector of Police
Ammappettai Police Station,
Salem District.

Respondent(s)

PRAYER

To suspend the conviction and sentence made in CrI.A. No.193 of 2019, vide order dated 23.09.2024, on the file of the Learned II Additional District Judge, Salem by confirming the Judgement made in S.C. No.278 of 2015 on 06.08.2019 on the file of the learned I Additional Assistant Sessions Judge, Salem and enlarge the petitioner on bail pending disposal of the above criminal revision petition.



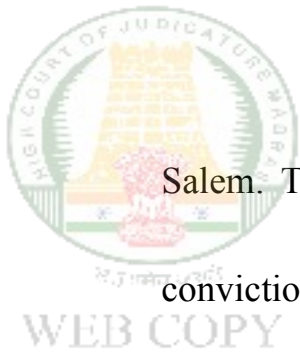
For Petitioner(s): M.R.Elavarasan

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the conviction and sentence made in Crl.A. No.193 of 2019, vide order dated 23.09.2024, on the file of the Learned II Additional District Judge, Salem by confirming the Judgement made in S.C. No.278 of 2015 on 06.08.2019 on the file of the learned I Additional Assistant Sessions Judge, Salem and enlarge the petitioner on bail pending disposal of the above criminal revision petition.

2. The petitioner herein is the accused in S.C.No.278/2015 on the file of the I Additional Assistant Sessions Judge, Salem, and convicted for the offence under Section 392 of IPC, convicted and sentenced to undergo 7 years rigorous imprisonment and also directed to pay a fine of Rs.5,000/- in default simple imprisonment for 6 months. Aggrieved by the same, the petitioner had filed appeal in Crl.A.No.193 of 2019 before the learned II Additional District Judge,



Salem. The learned trial Judge had dismissed the appeal and confirmed the conviction and sentence passed by the trial court, against which the present revision has been filed.

3. The learned counsel for the petitioner submitted that he was falsely implicated in this case, and he is ready to abide with any conditions.

4. The learned prosecution raised strong objections to suspend the sentence. He further submitted that there is no previous case against him and the property has also been recovered.

5. 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, 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, 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 shall be a blood related surety, each for a like sum to the satisfaction of the learned I Additional Assistant Sessions Judge, Salem.

(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 report before the respondent police on every alternative days at 10.30 a.m, and also shall appear before the Trial Court 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 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.



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

10-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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- 1.State by Inspector of Police
Ammapettai Police Station, Salem
District.
- 2.The I Additional Assistant Sessions
Judge, Salem.
3. The II Additional District Judge,
Salem.
- 4.The Public prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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