



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.10.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.Nos.19700 & 19702 of 2025
in Crl.R.C.No.2112 of 2025**

Dhas

...Petitioner in both Crl.M.Ps

Versus

The State Represented by
The Sub Inspector of Police,
All Women Police Station,
Tiruppur South,
Tiruppur.
Crime No.5/2024.

...Respondent in both Crl.M.Ps

Prayer in Crl.M.P.No.19700 of 2025 in Crl.R.C.No.2112 of 2025:

This Criminal Miscellaneous Petition is filed under Section 397(1) of Cr.P.C and Section 438 of BNSS, 2023 praying to suspend the sentence of imprisonment imposed on the petitioner in the Judgment dated 04.09.2025 made in Crl.A.No.59 of 2025 on the file of the Special Court for trial of cases under SC/ST (POA) Act, Tiruppur confirming the Judgment dated 18.02.2025 made in C.C.No.205 of 2024 on the file of the Additional Mahila Court, Tiruppur and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition before this Court.



Prayer in Crl.M.P.No.19702 of 2025 in Crl.R.C.No.2112 of 2025:

This Criminal Miscellaneous Petition is filed under Section 482 of Cr.P.C and Section 528 of BNSS, 2023 praying to grant an order of exemption from surrendering before the trial Court pursuant to the Judgment dated 04.09.2025 made in Crl.A.No.59 of 2025 on the file of the Special Court for trial of cases under SC/ST (POA) Act, Tiruppur confirming the Judgment dated 18.02.2025 made in C.C.No.205 of 2024 on the file of the Additional Mahila Court, Tiruppur pending disposal of the above Revision Petition before this Court.

For Petitioner in both Crl.M.Ps : Mr.N.S.Suganthan

For Respondent in both Crl.M.Ps : Dr.C.E.Pratap,
Govt. Advocate (Crl.Side)

COMMON ORDER

The Criminal Miscellaneous Petition No.19700 of 2025 has been filed by the Petitioner seeking to suspend the sentence imposed on him by the Additional Mahila Court, Tiruppur vide Judgment dated 18.02.2025 in C.C.No.205 of 2024 which was confirmed by the Special Court for trial of cases under SC/ST (POA) Act, Tiruppur vide Judgment dated 04.09.2025 in C.A.No.59 of 2025 and enlarge him on bail pending disposal of the above Criminal Revision Petition.



2. The Criminal Miscellaneous Petition No.19702 of 2025 has been filed by the Petitioner seeking to exempt him from surrendering before the trial Court pursuant to the Judgment dated 04.09.2025 made in CrI.A.No.59 of 2025 on the file of the Special Court for trial of cases under SC/ST (POA) Act, Tiruppur confirming the Judgment dated 18.02.2025 made in C.C.No.205 of 2024 on the file of the Additional Mahila Court, Tiruppur pending disposal of the above Revision Petition before this Court.

3. The petitioner is accused in C.C.No.205 of 2024 on the file of Additional Mahila Court, Tiruppur. The petitioner/accused was found guilty of the offence under Section 354A of IPC. Therefore, the trial Court vide Judgment dated 18.02.2025 in C.C.No.205 of 2024, convicted the petitioner/accused and sentenced him to undergo rigorous imprisonment for 2 years and to pay a fine of Rs.5,000/-, in default, to undergo 2 months simple imprisonment. Challenging the said judgment of trial Court, petitioner/accused had preferred a Criminal Appeal in C.A.No.59 of 2025 before Special Court for trial of cases under SC/ST (POA) Act, Tiruppur.



However, the Appellate Court vide Judgment dated 04.09.2025, dismissed the said Appeal and confirmed the Judgment of the trial Court. Hence, petitioner/accused has filed the present Criminal Revision Case before this Court.

4. The learned counsel for the petitioner/accused submitted that there was a transaction dispute between the petitioner/accused and *de-facto* complainant's family and thus, *de-facto* complainant has lodged a false complaint against the petitioner/accused stating that she was sexually harassed by the petitioner/accused. He further submitted that petitioner/accused has a fair chance of succeeding in the Criminal Revision Case and petitioner/accused is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that the substantive sentence imposed on the petitioner/accused may be suspended.

5. The learned Government Advocate (Crl.Side) appearing on behalf of the respondent Police submitted that he has objection for suspending the sentence imposed on petitioner/accused.



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6. Heard the learned counsel for the petitioner/accused and the learned Government Advocate (Crl.Side) appeared on behalf of respondent Police.

7. Considering the submissions made by the learned counsel for the petitioner/accused coupled with the quantum of punishment imposed on the petitioner/accused and taking into consideration of the fact that the Criminal Revision is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.

8. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) The petitioner/accused shall deposit a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), after deducting the amount which was already deposited by the petitioner/accused, if any, to the credit of C.C.No.205 of 2024 on the file of Additional Mahila Court, Tiruppur, within a



period of four weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically cancelled.

(ii) On such deposit being made, the trial Court shall re-deposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case.

(iii) If the petitioner/accused fails to deposit the aforesaid amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence.

(iv) The sentence of imprisonment imposed on the petitioner/accused shall be suspended on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a likesum to the satisfaction of the trial Court;

(v) 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 Card or Bank Pass Book and their mobile numbers to ensure their identity;

(vi) The petitioner/accused 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



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Case 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 his absence, as directed by the trial Court.

9. With the above directions, Criminal Miscellaneous Petition No.19700 of 2025 is allowed. Consequently, Criminal Miscellaneous Petition No.19702 of 2025 is closed.

25.10.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list CrI.R.C.No.2112 of 2025 for hearing on 05.12.2025.



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To

- 1.The Additional Mahila Court,
Tiruppur.
- 2.The Special Court for trial of cases under SC/ST (POA) Act,
Tiruppur.
- 3.The Sub Inspector of Police,
All Women Police Station,
Tiruppur South,
Tiruppur.
- 4.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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