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CRL MP No. 18708 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18708 of 2025

IN

CRL RC NO. 1976 OF 2025

1. JAISHANKAR

S/o.Jayabal, R/a.No.56, 5th Street,
Savukkuthoppu, Rajeevgandhi Nagar,
Mel Ayyampakkam, Chennai-600 095.

Petitioner(s)

Vs

1. KALA

D/o.Kattaiyan, No.134, Mettu Street,
Azhagananthai, Kolakudi,
Tiruvannamalai.

Respondent(s)

PRAYER

To suspend the sentence of imprisonment on the petitioner in CrI.A.No.65/2023 on the file of the Additional District and Sessions Court, Tiruvannamalai by its judgement dated 30.04.2025 and enlarge the petitioner on bail pending disposal of the CrI.RC.NO.1976 of 2025



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For Petitioner(s): M/s.Agilesh Kumar.S

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence of imprisonment on the petitioner in Crl.A.No.65/2023 on the file of the Additional District and Sessions Court, Tiruvannamalai by its judgement dated 30.04.2025 and enlarge the petitioner on bail.

2.The learned counsel for the petitioner/accused submitted that for the alleged non-compliance of the interim maintenance order passed by the learned Judicial Magistrate No.1, Thiruvannamalai in S.T.C.No.77 of 2010, the respondent wife has filed C.C.No.25 of 2021 before the same Court wherein, the petitioner was found guilty for the commission of offence u/s 31 of DV Act and convicted him u/s 255(2) of Cr.P.C and sentenced him to undergo simple imprisonment for the period of one year. No fine. Further the period of judicial custody from 03.02.2022 to 21.04.2022 (78 days) shall be set off against the period of sentence u/s 428 of Cr.P.C directed the petitioner to undergo



imprisonment for 15 months. Challenging the same the petitioner has filed

Crl.A.No.65 of 2023 before the Additional District and Sessions Court at

Tiruvannamalai and the learned Judge vide Judgment dated 30.04.2025 has

confirmed the order passed in C.C.No.25 of 2021. Aggrieved over the same the

petitioner has come up with this petition.

3. 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 is directed to deposit a sum of Rs.3,00,000/- (Rupees Three Lakhs only), to the credit of S.T.C.No.77 of 2010 Judicial Magistrate No.1, Thiruvannamalai within a period of three weeks from the date of receipt of a copy of



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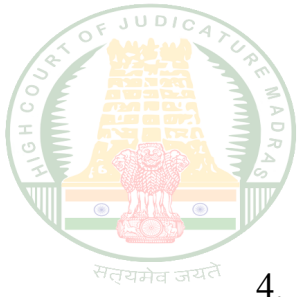
this order. Further the petitioner is directed to pay the maintenance amount of Rs.9,000/- per month on before 10th of every month commencing from November, 2025.

(b) 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 each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Thiruvannamalai.

(c) 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 Aadhar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal revision 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.

(e) the defacto complainant is permitted to withdraw the amount deposited by the petitioner in S.T.C.No.77 of 2010 on the file of Judicial Magistrate No.1, Thiruvannamalai on proper identification, in the manner known to law.



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4. With the above directions, this Criminal Miscellaneous Petition is ordered. It is made clear that if the petitioner fails to deposit the amount ordered by this Court, the suspension of sentence ordered by this Court will be dismissed.

09-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. The Additional District and Sessions Court, Tiruvannamalai.

2. The Additional District and Sessions Court, Tiruvannamalai

3. The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI J.

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IN
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2/2