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CRL MP No. 18122 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18122 of 2025

IN

CRL A NO. 1502 OF 2025

1.PRABHU

S/o.Dhanavel

2.Kanniyappan

S/o.Samiyappan

Petitioner(s)

Vs

The State Rep by,
The Inspector of Police,
Nambiyur Police Station,
Erode District.
Crime No.302/2020.

Respondent(s)

For Petitioner(s): C.S. Saravanan

For Respondent(s): Mr.V.meganathan
Government Advocate (Crl.Side)



ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioners, to suspend the sentence and enlarge the petitioners on bail imposed in S.C.No.16 of 2022 on the file of the III Additional District and Sessions Court, Gobichettipalayam, Erode District, dated 29.08.2025, pending disposal of the above Criminal Appeal.

2. The petitioners herein are the accused in S.C.No.16 of 2022 on the file of the learned III Additional District and Sessions Court, Gobichettipalayam. Erode District. They were found guilty of the offence under Sections 489(A), 489(B) and 489(C) of IPC. Sentence to undergo five years rigorous imprisonment and to pay a fine of Rs.2,000/- in default to undergo further rigorous imprisonment for three months for the offence under Section 489(B) and 489(C) of IPC, and acquitted for the offence under Section 489(A) IPC. against which, the present appeal has been filed.

3. The learned counsel for the petitioners/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 petitioners/accused

may be suspended. He would submit that the petitioners are ready to abide the

condition imposed by this Court.

4. The learned Government Advocate (Crl.Side) submitted that, based on confession statement given by the other accused, A1 was implicated in this case, and there are no previous cases pending against him. It was further submitted that A3 and A4, colluded with the other accused, had taken a house on rent and printed counterfeit currency notes. They were found in possession of eleven counterfeit note of Rs.500/- denomination each. Hence, he vehemently opposed the suspension of sentence.

5. Considering the facts and circumstances of the case, and noting that there are no previous cases pending against A1, **this Court is inclined to suspend the sentence imposed on A1 / Prabhu / 1st petitioner.** As far as, A3/ Kanniyappan / 2nd petitioner is concerned, he had colluded with other accused,



taken a house on rent, printed counterfeit currency notes and was found in

possession of 11 such notes. Therefore, **as far as the 2nd petitioner / A3 is**

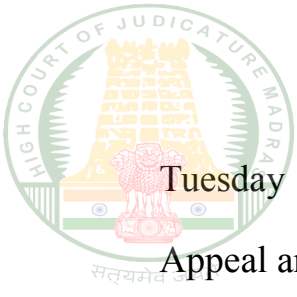
concerned, this petition is dismissed.

6. Considering the quantum of punishment imposed on the 1st petitioner/ A1, and since the 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 imposed against A1 alone can be suspended, subject to 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/A1 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 related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate No.II, Gopi.

(b) The petitioner/A1 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 /A1 shall appear before the Trial Court on every



Tuesday and 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.

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

08-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1. The State Rep by,
The Inspector of Police,
Nambiyur Police Station, Erode
District. Cr.No.302/2020.
2. The Judicial Magistrate No.II, Gopi.
3. The Superintendent, Central Prison,
Coimbatore.
4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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