



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 19102 of 2025

IN

CRL RC NO. 2029 OF 2025

DEEPAN

S/o.Raja, 121/A, Main Road,
Seethakkamangalam, Kodavasal Taluk,
Thiruvarur District-612 604

Petitioner(s)

Vs

State rep by its the Inspector of Police
Eravanchery Police Station, Thiruvarur

Respondent(s)

PRAYER

To suspend the sentence imposed on the petitioner by the judgement of the Honble District Munsif cum Judicial Magistrate, Kodavasal, Thiruvarur District dated 13.06.2025 in CC.No.12 of 2025 and as confirmed by the Honble Principal District and Sessions judge, Thiruvarur by his judgement dated 03.09.2025 in Crl.A.No.29 of 2025 pending disposal of the present criminal revision petition

For Petitioner(s): Mr. A.Mohamed Ismail

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

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed by the learned Principal District and Sessions Judge, Thiruvarur, in CrI.A.No.29 of 2025 dated 03.09.2025 confirming the judgment passed in C.C.No.12 of 2025 dated 13.06.2025 on the file of District Munsif cum Judicial Magistrate, Kodavasal, Thiruvarur District and enlarge the petitioner on bail pending disposal of the above Criminal Revision Case.

2. The petitioner herein is the accused in C.C.No.12 of 2025 on the file of the learned District Munsif cum Judicial Magistrate, Kodvasal, Thiruvarur District. He was found guilty of the offences under Section 341, 294(b) and 353 of IPC/BNS and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 341 of I.P.C.	to undergo 10 days simple and to pay fine of Rs.500/-, in default to undergo simple imprisonment for one week.
2	Section 307 of IPC	to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for one week.
3	Section 353 of I.P.C.	To undergo rigorous imprisonment for the period of two years
4	Section 506(ii) I.P.C. (1 st count)	To undergo rigorous imprisonment for the period of one year.

Aggrieved by the same, the petitioner had filed this Criminal Revision Case and consequently, he filed the present miscellaneous petition.



3. The learned counsel for the petitioner/accused would submit that he has been falsely implicated in this case as if he along with other accused engaged in the act of illegally scooping sand using shovels, but in fact he has not committed any offence and he is in judicial custody from 13.06.2025 for more than three months. He would further submit that there are arguable points available in the Criminal Revision Case and the petitioners/accused have got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court and the fine amount was also paid.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that no previous case pending against him and the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.



6. Considering the fact that there is no previous case pending against the petitioner, he has paid the fine amount and he is in judicial custody for more than three months and also 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 and the learned Government Advocate (Crl. Side) appearing for the respondent police, further this Criminal Revision Case 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.

7. Accordingly, till the disposal of the Criminal Revision Case, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate 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**, each for a like sum to the satisfaction of the **learned District Munsif cum Judicial Magistrate, Kodavasal, Thiruvarur District.**

(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.



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(c) The petitioner shall appear before the respondent police on every Sunday at 10.30 a.m. for the period of three months and he shall cooperate with the trial proceedings and also directed to 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 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 317 Cr.P.C. 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.

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

15-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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N.B. :Issue order copy on 16.10.2025.

To

1. District Munsif cum Judicial Magistrate, Kodavasal, Thiruvarur Dt.
2. The Inspector of Police, Eravanchery Police Station, Thiruvarur.
3. The Public Prosecutor, High Court, Madras.



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CRL MP No. 19102 of 2025



T.V.THAMILSELVI J.

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**15-10-2025
(2/3)**