



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 24.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.No.19795 of 2025
in Crl.R.C.No.2130 of 2025**

Sivanarayanawamy

...Petitioner

Versus

The State rep. by
Inspector of Police,
Vellampalayam Police Station,
Tiruppur District.
(Crime No.409/2022)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 438 & 442 of BNSS, 2023 praying to suspend the sentence of imprisonment imposed in the sentence dated 11.08.2025 made in C.A.No.227 of 2024 on the file of the Special Court for Trial of Cases under SC/ST Act Tiruppur, confirming the conviction imposed in judgment dated 28.03.2024 made in C.C.No.450 of 2023 on the file of the Judicial Magistrate Court No.3, Tiruppur and enlarge



the petitioner on bail pending disposal of the above Revision Petition before this Court.

For Petitioner : Mr.D.Arun

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking to suspend the sentence of imprisonment imposed on him by the learned Judicial Magistrate No.3, Tiruppur vide Judgment dated 28.03.2024 in C.C.No.450 of 2023 which was confirmed by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST Act, Tiruppur vide Judgment dated 11.08.2025 in C.A.No.227 of 2024 and enlarge him on bail pending disposal of the above Criminal Revision Petition.

2. The petitioner is an accused in C.C.No.450 of 2023 on the file of Judicial Magistrate Court No.3, Tiruppur. The petitioner/accused was found



guilty for commission of offence under Sections 279 & 304A of IPC.

Therefore, the Trial Court vide Judgment dated 11.08.2025 in C.A.No.227 of 2024, convicted the petitioner/accused and sentenced him as follows:

S.No.	Offence	Punishment
1	Under Section 279 of IPC	To undergo 3 months simple imprisonment.
2	Under Section 304A of IPC	To undergo 1 month simple imprisonment.

Aggrieved by the said conviction and sentence, petitioner/accused has preferred a Criminal Appeal in C.A.No.227 of 2024 before the Special Court for Trial of Cases under SC/ST Act, Tiruppur. However, the Appellate Court vide Judgment dated 11.08.2025 in C.A.No.227 of 2024, dismissed the said Criminal Appeal and confirmed the judgment of the Trial Court. Hence, the petitioner/accused has filed the present Criminal Revision before this Court.

3. The learned counsel for the petitioner/accused submitted that petitioner/accused has a fair chance of succeeding in the Criminal Revision Case and he is ready to abide any condition to be imposed by this Court.



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Therefore, the learned counsel prayed that the substantive sentence imposed on the petitioner/accused may be suspended.

4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that he has no serious objection for enlarging the petitioner/accused on bail.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. Considering the submissions made by the learned counsel for petitioner/accused coupled with the quantum of punishment imposed on the petitioner/accused and taking into consideration of the fact that the Criminal Revision Case 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.



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7. 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 sentence of imprisonment imposed on the petitioner/accused shall be suspended and the petitioner/accused shall be released on bail on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the satisfaction of the Special Court for Trial of Cases under SC/ST Act, Tiruppur;

(ii) 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;

(iii) The petitioner/accused shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., till the disposal of Criminal Revision 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.

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

24.11.2025

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list Crl.R.C.No.2130 of 2025 on 04.03.2025.

To

1.The Judicial Magistrate No.3,
Tiruppur.

2.The Sessions Judge,
Special Court for Trial of Cases under SC/ST Act,
Tiruppur.

3.The Inspector of Police,

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Vellampalayam Police Station,
Tiruppur District.

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4.The Superintendent,
District Prison, Tiruppur.

5.The Public Prosecutor,
High Court, Madras.

T.V.THAMILSELVI, J.

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