



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 19.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.No.18989 of 2025
in Crl.R.C.No.2015 of 2025**

Arumugam

...Petitioner

Versus

State of Tamil Nadu
Rep. by The Inspector of Police,
Mangalam Police Station,
Tiruppur District.
(Crime No.285 of 2016)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 438(1) of BNSS, 2023 praying to suspend the sentence of imprisonment imposed on the petitioner by Judgment dated 09.01.2023 in C.C.No.107 of 2017 on the file of Judicial Magistrate Court – IV, Tiruppur and confirmed by the Judgment dated 25.09.2025 in C.A.No.70 of 2023 passed by the 1st Additional District and Sessions Court, Tiruppur and enlarge the petitioner



on bail pending disposal of the above Criminal Revision Petition pending on the file of this Court.

For Petitioner : Mr.K.Semmalai

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 Judicial Magistrate Court – IV, Tiruppur vide Judgment dated 09.01.2023 in C.C.No.107 of 2017 which was confirmed by the 1st Additional District and Sessions Court, Tiruppur vide Judgment dated 25.09.2025 in C.A.No.70 of 2023 and enlarge him on bail pending disposal of the above Criminal Revision Petition.

2. The petitioner is an accused in C.C.No.107 of 2017 on the file of Judicial Magistrate Court – IV, Tiruppur. The petitioner/accused was found



guilty of the offence under Sections 279 & 304A of IPC. Therefore, the trial

Court vide Judgment dated 09.01.2023 in C.C.No.107 of 2017, convicted the petitioner/accused and sentenced him as follows:

S.No.	Offence	Punishment
1	Under Section 279 of IPC	To pay a fine of Rs.1000/-, in default, to undergo 1 month simple imprisonment.
2	Under Section 304A of IPC	To undergo 6 months simple imprisonment and to pay a fine of Rs.2000/-, in default, to undergo 1 month simple imprisonment.

Aggrieved by the said conviction and sentence, petitioner/accused had preferred a Criminal Appeal in C.A.No.70 of 2023 before the learned I Additional District and Sessions Judge, Tiruppur. However, the Appellate Court vide Judgment dated 25.09.2025 in C.A.No.70 of 2023, dismissed the said Criminal Appeal and confirmed the judgment of the trial Court. Hence, petitioner has filed the present Criminal Revision Case.

3. The learned counsel for 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.

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

4. The learned Government Advocate (Crl.Side) appearing for respondent Police submitted that he has objection for granting bail to petitioner/accused.

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.

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 trial Court;

(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;



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(iii) The petitioner/accused shall appear before the respondent Police on every Saturday at 10.30 a.m. and also, he shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., for a period of 6 weeks 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.

19.11.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list Crl.R.C.No.2015 of 2025 for hearing on 04.03.2026.



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To

1.Judicial Magistrate Court – IV,
Tiruppur.

2.1st Additional District and Sessions Court,
Tiruppur.

3.The Inspector of Police,
Mangalam Police Station,
Tiruppur District.

4.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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