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CRL RC No. 2471 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL RC No. 2471 of 2025

AND

CRL MP NO. 21981 OF 2025

1. Nizam Ali
S/o.Abdul Jabar, 135, Pallivasal Street,
T.Neduncheri, Cuddalore 608 305.

Petitioner(s)

Vs

1. The State Rep. by The Sub Inspector
of Police
Pudhur Police Station, Cuddalore
District.

Respondent(s)

CRL MP No. 21981 of 2025

PRAYER

To suspend the sentence imposed on the petitioner by the judgment dated 25.06.2024 passed by the 2nd Additional District and Sessions Court, Chidambaram, in C.A.No.75/2023, by confirming the Judgment dated 26.10.2023 passed by the Learned District Munsif cum Judicial Magistrate, Kattumannarkoil, in CC No.26/2015 till the disposal of the above Criminal Revision Petition.

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For Petitioner(s): Senthil S
R. Anbukarasu
J.Karuppiah
D.Vairamoorthy
M.Prem Kumar
R. Vivek



K.M.Arun
S.Thirumurugan
N.S.Deepak
J.Sri Hari
M.Gokul Raj

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

ORDER

This petition has been filed to suspend the sentence imposed on the petitioner by the judgment dated 25.06.2024 passed by the 2nd Additional District and Sessions Court, Chidambaram, in C.A.No.75/2023, by confirming the Judgment dated 26.10.2023 passed by the Learned District Munsif cum Judicial Magistrate, Kattumannarkoil, in CC No.26/2015 till the disposal of the above Criminal Revision Petition.

2. The petitioner herein is the accused in CC No.26/2015 on the file of the learned District Munsif cum Judicial Magistrate, Kattumannarkoil. He was found guilty of the offence under Sections 323 IPC and Section 4 of Tamil Nadu Prevention of Women Harassment Act and he has been convicted and sentenced as under:

S	Conviction	Sentence
	Section 323 of IPC	to undergo Rigorous imprisonment for a period of three (3) months



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S	Conviction	Sentence
2	Section 4 of Tamil Nadu Prevention of Women Harassment Act	to undergo Rigorous imprisonment for a period of one year and to pay fine of Rs.10,000/-, in default to undergo Simple Imprisonment for one month

Aggrieved by the same, the petitioner had filed appeal in C.A.No.75/2023 and the learned 2nd Additional District and Sessions Court, Coimbatore, had dismissed the appeal and confirmed the conviction and sentence, against which the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioner/accused may be suspended. Further it is his specific submission that the petitioner was enlarged on bail during the time of pendency of the appeal before the first appellate Court and the petitioner may be exempted from surrendering before the Trial Court. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing these



petitions. Further, he would contend that 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 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 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 Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on his 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 District Munsif cum Judicial Magistrate, Kattumannarkoil.



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(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. Further, the petitioner shall deposit a sum of Rs.20,000/- to the credit of CC No.26/2015 on the file of the learned District Munsif cum Judicial Magistrate, Kattumannarkoil and the victim is permitted to withdraw the same.

(c) The petitioner shall appear before the Trial Court on the first and last working day of every English Calendar month at 10.30 a.m., until the disposal of the revision petition 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, these Criminal Miscellaneous Petitions are ordered.

20-11-2025

Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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T.V.THAMILSELVI J.

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To

1. The 2nd Additional District and Sessions Court, Chidambaram.
2. The District Munsif cum Judicial Magistrate, Kattumannarkoil.
3. The Inspector of Police, Pudhur Police Station, Cuddalore District.
4. The Public Prosecutor, High Court, Madras.

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