



IN THE HIGH COURT OF JUDICATURE AT MADRAS

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Dated : 24.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.No.21425 of 2025
in Crl.R.C.No.2371 of 2025**

Haribabu

...Petitioner

Versus

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Kondampalayam Police Station.
(Crime No.4 of 2016)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 430 & 438(1) of BNSS, 2023 praying to suspend the sentence imposed on him passed in Crl.A.No.1 of 2024 on the file of the II Additional District and Sessions Judge, Arakkonam Ranipet District, dated 03.09.2025 confirming the Judgment passed in C.C.No.83 of 2019 on the file of the learned Judicial Magistrate, Sholinghur dated 29.01.2024 and pending disposal of the above

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revision.

For Petitioner : Mr.S.Prabhu

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, Sholinghur vide Judgment dated 29.01.2024 in C.C.No.83 of 2019 which was confirmed by the learned II Additional District and Sessions Judge, Arakkonam, Ranipet District vide Judgment dated 03.09.2025 in Crl.A.No.1 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.83 of 2019 on the file of Judicial Magistrate, Sholinghur. The petitioner/accused was found guilty for commission of offences under Sections 279, 338 (3 counts) and 304A of



IPC. Therefore, the Trial Court vide Judgment dated 29.01.2024 in

C.C.No.83 of 2019, 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.500/-, in default, to undergo 1 month simple imprisonment.
2	Under Section 338 (3 counts) of IPC	To pay Rs.500/- for each count, in default, to undergo 1 month simple imprisonment for each count.
3	Under Section 304A of IPC	To undergo 1 year simple imprisonment.

Aggrieved by the said conviction and sentence, petitioner/accused has

preferred a Criminal Appeal in C.A.No.1 of 2024 before the learned II

Additional District and Sessions Judge, Arakkonam, Ranipet District.

However, the Appellate Court vide Judgment dated 03.09.2025, 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.

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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 the petitioner/accused may be suspended.

4. The learned Government Advocate (Crl.Side) appearing for 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



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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 learned Judicial Magistrate, Sholinghur;

(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.

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Index: Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list CrI.R.C.No.2371 of 2025 on 04.03.2025.

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To

- 1.The Judicial Magistrate,
Sholinghur.
- 2.The II Additional District and Sessions Judge,
Arakkonam, Ranipet District.
- 3.The Inspector of Police,
Kondampalayam Police Station.
- 4.The Superintendent,
Central Prison, Vellore.
- 5.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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