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CRL MP No. 22282 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22282 of 2025

IN

CRL RC NO. 2510 OF 2025

J.Balaji

S/O Janakiraman, No.251/58, Mettu
Street, Kalathur Village, Nemili Taluk,
Ranipet District.

Petitioner(s)

Vs

The State Rep By, The Sub-Inspector
Of Police
Avalur Police Station, Ranipet District.
Crime No.153 of 2022.

Respondent(s)

PRAYER

To suspend the sentence imposed on the petitioner in C.A.No.36 of 2024 dated 24.10.2025 on the file of the I Additional District and Sessions Judge, Ranipet District by modifying the order passed in CC No.5 of 2023 dated 12.11.2024 on the file of the District Munsif-cum-Judicial Magistrate Court No.I, Walajapet pending disposal of the above revision petition.

For Petitioner(s): Mr.S.Sairaman



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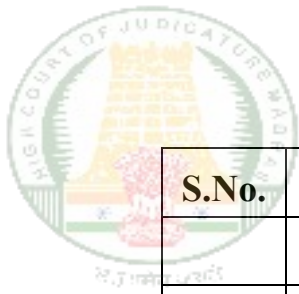
For Respondent: Dr.C.E.Pratap,
Govt. Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed on the petitioner in Crl.A.No.36 of 2024 dated 24.10.2025 on the file of I Addl. District and Sessions Judge, Ranipet District modifying the order passed by the learned District Munsif cum Judicial Magistrate VI Addl. Sessions Judge, Chennai, in S.C.No.115 of 2016 dated 11.07.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in C.C.No.5 of 2023 on the file of the learned VI Addl. Sessions Judge, Chennai. He was found guilty of the offences under Section 452, 323 and 354(A) of IPC/BNS and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 452 of I.P.C.	to undergo simple imprisonment for a period of three years and to pay fine of Rs.2,000/-, in default to undergo simple imprisonment for one



S.No.	Conviction	Sentence
		month.
2	Section 354 (A) of IPC	to undergo simple imprisonment for a period of 2 years and to pay fine of Rs.2,000/-, in default to undergo simple imprisonment for one month.
3	Section 323 of I.P.C.	to undergo simple imprisonment for a period of 1 year and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for one month

Aggrieved by the same, the petitioner had filed this appeal 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 had unlawfully entered into the house of defacto complainant and caused sexual harassment to her. He would further submit that he is in judicial custody from 24.10.2025 for more than one month. He would further submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have got a fair chance of succeeding in the Criminal Appeal 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.



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 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 the petitioner is in judicial custody from 24.10.2025 for more than one month 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 appeal 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 Appeal, 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 Court No.I, Walajapet.**

(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.

(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 also 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**



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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.

25-11-2025

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

1.I Addl. District and Sessions Judge, Ranipet Dt.

2.District Munsif cum Judicial Magistrate Court No.I, Walajapet

3. The Sub-Inspector Of Police

4. The Public Prosecutor, High Court,



Madras

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T.V.THAMILSELVI J.

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