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CRL MP No. 21751 of
2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP Nos. 21751 & 21753 of 2025

IN

CRL RC NO. 2417 OF 2025

KRISHNASAMY

S/o. Chinnavan, West Kattukottai,
Pungavadi Post, Attur Taluk, salem
District.

Petitioner(s)

Vs

The State rep by Inspector of Police
Attur Police Station, Salem District.
Crime No.513 of 2017.

Respondent(s)

COMMON PRAYER: Criminal Miscellaneous Petitions filed under Section 430 of BNSS & 528 of BNSS, praying to suspend the sentence imposed on the petitioner in C.A.No.60 of 2023, dated 27.10.2025 on the file of the Additional District and Sessions Judge, Attur in modifying the order of conviction dated 14.03.2023 passed in S.C.NO.11 of 2019 on the file of the Assistant Sessions Judge, Attur, and to exempt the petitioner from surrendering pending disposal of the above Criminal Revision Petition.

For Petitioner(s): Mr.R.Jayaprakash



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

COMMON ORDER

These Criminal Miscellaneous Petitions have been filed by the petitioner, seeking suspension of sentence imposed in C.A.No.60 of 2023, dated 27.10.2025 on the file of the Additional District and Sessions Judge, Attur in modifying the order of conviction dated 14.03.2023 passed in S.C.NO.11 of 2019 on the file of the Assistant Sessions Judge, Attur, and altering the offence under Section 307 as offence u/s. 324 and to exempt the petitioner from surrendering pending disposal of the above Criminal Revision Petition.

2. The trial Court convicted and sentenced the petitioner to undergo rigorous imprisonment of 2 years and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for 2 months. Aggrieved by the same, the petitioner had filed appeal in Crl.A.No.60 of 2023 on the file of the Additional District and Sessions Judge, Attur, was dismissed, confirming the conviction



and sentence, against which the present revision has been filed.

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3. The learned counsel for the petitioner/accused submitted that the trial Court failed to properly appreciate the facts of the case. The petitioner is having a valid defence available in the Criminal revision and the petitioner/accused has a fair chance of succeeding in the Criminal revision and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He also submitted that the petitioner is ready to abide the condition imposed by this Court.

4. 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, 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, the reliefs of suspension of sentence and bail are granted on the



following conditions:

(a) the petitioner is directed to deposit a sum of Rs.25,000/- (Rupees Twenty five thousand only), to the credit of S.C.No.11 of 2019 on the file of the Assistant Sessions Judge, Attur, within a period of four weeks from the date of receipt of a copy of this order, failing which the order shall be vacated.

(b) the petitioner/accused is ordered to be released on bail, on 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 Assistant Sessions Judge, Attur.

(c) 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 Aadhar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal revision 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



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on any other day in lieu of the date of his absence, as directed by
the trial Court.

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5. With the above directions, the suspension of sentence filed by the
petitioner in Crl.MP.No.21753 of 2025 is ordered. Consequently, the petitions
filed by the petitioner in Crl.M.P.No.21751 of 2025 seeking exemption from
surrendering before the trial Court, is closed accordingly.

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To
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- 1.The State rep by Inspector of Police
Attur Police Station, Salem District.
Crime No.513 of 2017.
- 2.The Additional District and Sessions
Judge, Attur.
- 3.The Assistant Sessions Judge, Attur.
- 4.The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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