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CRL MP No. 22357 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. 22357 of 2025

IN

CRL RC NO. 2518 OF 2025

DHANASEKARAN

S/o.Ramadoss, No.2/59, 69th Street,
R.V.Nagar, Jafferkhanpet, Chennai-600
083.

Petitioner(s)

Vs

The State Rep by,
The Sub Inspector of Police,
R-6, Kumaran Nagar Police Station,
Jafferkhanpet, Chennai-600 083.

Respondent(s)

PRAYER

To grant suspension of sentence imposed by the judgment in CC.No.5635/2017 on the file of the Learned XXIII Metropolitan Magistrate Court, Saidapet, Chennai, dated 08.12.2022 and in C.A.No.33/2023 on the file of Learned VI Additional District and Sessions Court, Chennai, dated 05.11.2025, pending disposal of the above Criminal Revision Case.



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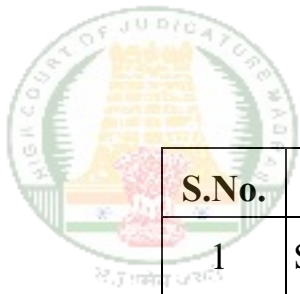
For Petitioner(s): Mr.R.Sankara Subbu

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed by the learned VI Addl. District and Sessions Judge, Chennai, in Crl.A.No.33 of 2023 dated 05.11.2025 confirming the conviction and sentence imposed in C.C.No.5635 of 2017, dated 08.12.2022 on the file of XXIII Metropolitan Magistrate, Saidapet, Chennai, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in C.C.No.5635 of 2017 on the file of the learned XXIII Metropolitan Magistrate, Saidapet, Chennai. He was found guilty of the offences under Section 294(b) and 324 of IPC/BNS and Sec.4 of TNPHW Act and he has been convicted and sentenced as under:



S.No.	Conviction	Sentence
1	Section 294(b) of I.P.C.	to undergo rigorous imprisonment for a period of three months and pay a fine of Rs.500/-, in default, to undergo simple imprisonment for a period of one week
2	Section 324 of IPC	to undergo rigorous imprisonment for a period of 6 months and to pay a fine of Rs.2000/-, in default, to undergo simple imprisonment for one month
3	Sec.4 of TNPHW Act	To undergo simple imprisonment for 1 year and pay a fine of Rs.10,000/-, in default, to undergo simple imprisonment for two months

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 attacked the defacto complainant, thereby caused simple injuries. He would further submit that he is having valid defence to prove his case and he is senior citizen, aged about 65 years. He would further submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has 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.

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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. On seeing the facts, it reveals that on the alleged occurrence, there was a wordy quarrel between them, as a result of which, he attacked the defacto complainant, thereby he sustained simple injuries and he is having valid defence to prove his case and he is senior citizen, aged about 65 years. Considering that and 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.

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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 VI Addl. District and Sessions Judge, Chennai.**

(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 Saturday 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 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.

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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. VI Addl. District and Sessions Judge, Chennai.

2. XXIII Metropolitan Magistrate, Saidapet, Chennai.

3. The Sub Inspector of Police,
R-6, Kumaran Nagar Police Station,
Jafferkhanpet, Chennai-600 083.

4. The Public Prosecutor, High Court,
Madras.



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