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CRL RC No. 2597 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 22830 OF 2025, CRL MP NO. 22832 OF 2025
IN CRL RC No. 2597 of 2025**

1. ABIRAMI

W/o. Kannan, Ozhunginachery, Kerala
Road, Thakkalai, Nagarkoil,
Kanyakumari District.

Petitioner(s)

Vs

1. The State rep by Inspector of Police
Tiruppur South Police Station,
Tiruppur. Crime No.17 of 2024.

Respondent(s)

CRL MP No. 22830 of 2025

PRAYER

To suspend the sentence imposed to the petitioner in C.A.No.233 of 2024 dated 10.10.2025 made on the file of the learned II Additional District Judge, Tiruppur by confirming the Judgement of the learned Judicial Magistrate Court No.II, Tiruppur passed in C.C.No.233 of 2024 by an order dated 16.07.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

CRL MP No. 22832 of 2025

PRAYER

To exemption from her surrender in C.A.No.233 of 2024 dated 10.10.2025 made on the file of the learned II Additional District Judge, Tiruppur by confirming the Judgement of the learned Judicial Magistrate Court No.II, Tiruppur passed in C.C.No.233 of 2024 by an order dated 16.07.2024 pending disposal of the above Criminal Revision.



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For Petitioner(s): M/s.K.Murugan
M. Vinoth
S. Yogaraja Sekar

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

ORDER

These petitions have been filed to suspend the sentence imposed to the petitioner in C.A.No.233 of 2024 dated 10.10.2025 made on the file of the learned II Additional District Judge, Tiruppur by confirming the Judgement of the learned Judicial Magistrate Court No.II, Tiruppur passed in C.C.No.233 of 2024 by an order dated 16.07.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision and to exempt him from surrender before the Trial court.

2. The petitioner herein was found guilty for the offence under Section 379 IPC in C.C.No.233 of 2024 by the Judicial Magistrate Court No.II, Tiruppur and convicted and sentenced him to undergo Rigorous Imprisonment for three years and to pay a fine of Rs.5000/-. Challenging the same, the petitioner filed C.A.No.233 of 2024 on the file of the learned II Additional District Judge, Tiruppur, but it had dismissed the appeal. Aggrieved over the



same, the petitioner filed the appeal along with present miscellaneous petition.

3. The learned counsel for the petitioners/accused would 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 petitioners/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 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 each for a like sum to the satisfaction of the learned Judicial Magistrate Court No.II, Tiruppur.

(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 petitioners shall 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 there are not able to appear before the trial Court on any day, they 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, Crl M.P No. 22830 of 2025 is ordered and Crl.M.P No. 22832 of 2025 is closed.

28-11-2025

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T.V.THAMILSELVI J.
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To

1. The Judicial Magistrate Court No.II, Tiruppur.
2. The II Additional District Judge, Tiruppur.

**CRL MP NO. 22830 OF
2025,CRL MP NO.
22832 OF 2025
IN CRL RC No. 2597 of
2025**

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