



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-12-2025

CORAM

THE HONOURABLE MR.JUSTICE P. DHANABAL

CRL MP No. 24865 of 2025

IN

CRL A NO. 1958 OF 2025

Lakshmi and 7 others
W/o.Late Muthusamy, Kuchipalayam,
Thokkavadi, Tiruchengode, Namakkal
District.

Petitioner(s)

Vs

The State Rep by, The Inspector of
Police,
Tiruchengode Rural Police Station,
Namakkal District. Cr.No.314/2016.

Respondent(s)

PRAYER: This Criminal Miscellaneous Petition has been filed under Section 415 of B.N.S.S. Act, 2023 praying to suspend the sentence imposed on the petitioner by a judgment dated 24.11.2025 made in S.C. No.55 of 2017 on the file of the learned II Additional District and Sessions Judge, Thiruchengode till the disposal of the Criminal Appeal.

For Petitioner(s): N. Manokaran

For Respondent(s): Public Prosecutor

ORDER

This petition has been filed by the petitioner to suspend the sentence imposed against this petitioner through judgment dated 24.11.2025 made in S.C. No.55 of 2017 on the file of the learned II Additional District and Sessions



Judge, Thiruchengode till the disposal of the Criminal Appeal..

WEB COPY

2. The learned counsel appearing for the petitioner would contend that initially the respondent police have registered a case in Cr. No.314 of 2016 for the offences under Sections 147, 148, 294(b), 341, 326, 427, 506(ii) and 302 of IPC and thereafter, altered to Sections 147, 148, 302 of IPC and further altered to Sections 147, 148, 302 and 506(ii) of IPC and Section 4 of Tamil Nadu Property (Prevention of Damage and Loss) Act. A counter case was also registered based on the complaint given by the 1st petitioner in Cr. No.315 of 2016 under Sections 294(b) and 324 of IPC . Thereafter, the case in Cr. No.315 of 2016 was also transferred to the Sessions Court under Section 323 of Cr.P.C.. Thereafter, witnesses were examined and the trial Court convicted the petitioner for the offence under Section 148 of IPC and sentenced to undergo one year simple imprisonment and acquitted the accused from all other charges through a judgment dated 24.11.2025. Aggrieved by the said judgment and conviction, they preferred the present appeal. The petitioners have chance to succeed in the appeal. There are so many discrepancies in the prosecution witnesses. The trial Court, without considering the same, erroneously convicted the petitioners. Already they filed a petition before the trial Court in Crl. M.P. No.142 of 2025 to suspend the sentence and the sentence was suspended till 02.01.2026. Therefore, they prayed to suspend the sentence during the pendency of the appeal.



3. The learned Government Advocate (Criminal side) appearing for the respondent would contend that the trial Court based on the evidences, found the accused guilty of offence under Section 148 of IPC and the prosecution has established their case. However, the trial Court convicted the petitioners for the offence under Section 148 of IPC alone. Therefore, strongly objected to suspend the sentence imposed by the trial Court.

4. Heard both sides and perused the materials available on record.

5. The petitioners had faced trial for the offences under Sections 147, 148, 302 and 506(ii) of IPC and Section 4 of Tamil Nadu Property (Prevention of Damage and Loss) Act on the file of the learned II Additional District and Sessions Judge, Tiruchengode and they have been convicted for the offence under Section 148 of IPC and sentenced to undergo 1 year of Simple imprisonment.

6. On a perusal of records, it is seen that the petitioner is on bail during the trial proceedings and the trial Court also suspended the sentence till 02.01.2026. Considering the nature of offences, the quantum of punishment imposed by the trial Court and there are arguable points in this case, it is appropriate to suspend the sentence imposed by the trial Court.



7. Accordingly, this Criminal Miscellaneous Petition is allowed and the sentence of imprisonment ordered by the trial Court through the impugned judgment dated 24.11.2025 in S.C. No.55 of 2017 is suspended subject to the following conditions:

[a] Accordingly, the petitioners are ordered to be released on bail on each of them executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each with two sureties each for a like sum to the satisfaction of the learned **Judicial Magistrate Court, Tiruchengode** and on further condition that:

[b] the petitioners shall report before the learned **Judicial Magistrate, Tiruchengode** on the first working day of every English Calendar month at **10.30 a.m. until further orders.**

30-12-2025
[1/2]

Index:Yes/No
Speaking/Non-speaking order
Internet:Yes
Neutral Citation:Yes/No
mjs



WEB COPY

CRL MP No. 24865 of 2025



P.DHANABAL J.
mjs

To

- 1.The Judicial Magistrate, Tiruchengode
 - 2.The Public Prosecutor, Madras High Court.
- The State Rep by, The Inspector of Police,
Tiruchengode Rural Police Station, Namakkal District.

CRL MP No. 24865 of
2025
IN CRL A NO. 1958 OF
2025

30-12-2025
[1/2]