



CRL MP(MD) No.8757 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 09.07.2025

CORAM

THE HONOURABLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP(MD) No.8757 of 2025

in

CRL RC(MD) No.822 of 2025

M.Jeyaraj

Petitioner/Petitioner/
Accused No.1

Vs

State of Tamilnadu rep. by its
The Inspector of Police,
Economic Offences Wing-II,
Madurai.
(Crime No.3 of 2009)

... Respondent/Respondent/
Complainant

For Petitioner: Mr.S.Balaji, Advocate

For Respondent: Mr.M.Sakthikumar
Government Advocate (Criminal Side)

Prayer in CRL MP(MD).8757 of 2025 :

This Criminal Miscellaneous Petition filed under Section 438(1) B.N.S.S. praying to enlarge the petitioner on bail by suspending the sentence imposed by the learned IV Additional District and Sessions Judge, Madurai in C.A No.68/2018 dated



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20.06.2025 whereby confirming the conviction and sentence imposed by the learned Chief Judicial Magistrate, Madurai District in C.C.No.4 of 2013, dated 25.06.2018 pending disposal of the main criminal revision.

ORDER

This Criminal Miscellaneous Petition has been filed to enlarge the petitioner on bail by suspending the sentence imposed by the learned IV Additional District and Sessions Judge, Madurai District in C.A No.68/2018 dated 20.06.2025 confirming the conviction and sentence imposed by the learned Chief Judicial Magistrate, Madurai District in C.C.No.4 of 2013, dated 25.06.2018 pending disposal of the main criminal revision.

2. The case of the prosecution is that the accused persons together cheated the public and committed the criminal breach of trust by establishing the institution in the name and style of the Tamil Nadu All Producers Development Association and collecting Lakhs of money from public. Hence, FIR came to be registered in Crime No.3 of 2009.

3. The respondent police, after completing the investigation, has filed the final report against the accused persons under Sections 406, 420, 120(B) and 506(ii) of IPC and the case was taken on file in C.C.No.4 of 2013 and the same was pending on the file of the Chief Judicial Magistrate, Madurai.



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4. During trial, the prosecution has examined 27 witnesses as P.W.1 to P.W.27 and exhibited 121 documents as Ex.P.1 to Ex.P.121. The accused has examined 1 witness as D.W.1 and exhibited 6 documents as Ex.D.1 to Ex.D.6.

5. The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment dated 25.06.2018 convicting the petitioner/accused no.1 for the offences under Section 406 of IPC and sentenced him to undergo 3 years rigorous imprisonment, Section 420 of IPC and sentenced him to undergo 3 years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo 3 months simple imprisonment. Challenging the above said conviction and sentence, the petitioner has preferred appeal in C.A.No.68 of 2018 on the file of the IV Additional District and Sessions Judge, Madurai. The learned IV Additional District and Sessions Judge, Madurai by confirming the conviction and sentence, dismissed the appeal. Aggrieved by the same, the petitioner has preferred the present Criminal Revision Case along with the above miscellaneous petition.



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6. The learned counsel appearing for the petitioner would submit that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses.

7. The learned Government Advocate (Criminal Side) appearing for the respondent would submit that there are enough materials available on record against the petitioners and hence, he strongly opposed to grant suspension of sentence.

8. This Court has carefully considered the rival contentions put forth by either side and also perused the materials available on record.

9. The learned counsel appearing for the petitioner pointed out that certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains that there are arguable points involved in these criminal revision and further the criminal revision is not likely to be taken up for final hearing in the near future and as such, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.



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10. In the result, this Criminal Miscellaneous Petition is ordered. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(i) the petitioner is directed to be enlarged on bail on him executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Madurai;

(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) the petitioner shall appear before the Trial Court at 10.30 a.m. on all working days until further orders.

11. Accordingly, this Miscellaneous Petition is ordered.

sd/-
09/07/2025

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/07/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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1 THE IVTH ADDITIONAL DISTRICT
AND SESSIONS JUDGE, MADURAI DISTRICT.

2 THE CHIEF JUDICIAL MAGISTRATE
MADURAI DISTRICT.

3 THE INSPECTOR OF POLICE,
ECONOMIC OFFENCES WING II,
MADURAI.

4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.S.BALAJI, Advocate (SR-7345[I] dated 10/07/2025)

ORDER
IN
CRL MP(MD) No.8757 of 2025
in
CRL RC(MD) No.822 of 2025
Date :09/07/2025

SS/SAR- /10/07/2025/ 6P/6C

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