



Crl.MP(MD)No.20652 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.12.2025

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)No.20652 of 2025
in
Crl.RC.(MD)No.1676 of 2025

1.Thamayanthi

2.Rani

3.Rajalakshmi @ Raji

... Petitioners

Vs.

The Inspector of Police,
E.O.W-II Wing, Trichy,
(Crime No.01 of 2007)
(C.C.No.83 of 2011)

... Respondent

Prayer : This Criminal Miscellaneous Petition filed under Section 438(1) of B.N.S.S. praying to suspend the conviction and sentence imposed upon the petitioners in C.C.No.83 of 2011, dated 29.08.2019 on by the learned III-Additional Chief Judicial Magistrate, Tiruchirappalli which was confirmed by the learned District and Sessions Judge, Tiruchirappalli, in Crl.A.No.130 of 2019, dated 01.12.2025 and enlarge

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the petitioners on bail pending disposal of the main Criminal Revision Petition.

For Petitioners : Mr.Dhanaram Ramachandran
For M/s.D.R.Law Chambers

For Respondent : Mr.Vaikkam Karunanithi
Government Advocate

ORDER

Heard Mr.Dhanaram Ramachandran, learned Counsel for M/s.D.R.Law Chambers, for the Revision Petitioners and Mr.Vaikkam Karunanithir, learned Government Advocate, who accepts notice on behalf of the Respondent.

2. Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed on petitioners by Chief Judicial Magistrate, Tiruchirappalli, in C.C.No.83 of 2011, dated 29.08.2019, which was partly allowed and modified by III-Additional District and Sessions Judge, Tiruchirappalli, in Crl.A.No.130 of 2019, dated 01.12.2025.



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3. Learned counsel for petitioners would submit that petitioners were convicted and sentenced by Chief Judicial Magistrate, Tiruchirappalli, in C.C.No.83 of 2011, dated 29.08.2019 for the following offences:

(i) to undergo Rigorous Imprisonment for a period of 5 years for each accused for each offence and to pay a fine of Rs.1000/- in default of payment, to undergo Simple Imprisonment for a period of one month for each offences for each accused, for offences under Sections 420, 120-B of IPC and

(ii) to undergo Rigorous Imprisonment for a period of 2 years for each accused and no fine is imposed, for offence under Section 4 r/w 76 of Chit Fund Act, 1982.

(iii) With regard to compensation, the petitioners are directed to pay compensation of Rs.1,00,000/- with 7.5% interest from the date of complaint ie., 06.03.2007 till realization to each victims/subscribers/witnesses PW1 to PW27, PW31, PW32, within 3 months failing which the properties of the 3 accused shall be subjected to realize total compensation amount in accordance with law.



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3.1. Aggrieved, petitioners filed Criminal Appeal No.130 of 2019 before III-Additional District and Sessions Judge, Tiruchirappalli. The lower Appellate Court confirmed the conviction under Sections 420 and 120-B IPC but reduced the substantive sentence of imprisonment from 5 years' Rigorous Imprisonment to 3 years' Rigorous Imprisonment. Hence, vide order dated 01.12.2025, the lower Appellate Court partly allowed the appeal and modified the judgment passed by Trial Court as follows:

(i) to undergo Rigorous Imprisonment for a period of 3 years for each accused for each offence and to pay a fine of Rs.1000/-, in default of payment, to undergo Simple Imprisonment for a period of one month for each offences for each accused, for offences under Sections 420, 120-B of IPC and

(ii) to undergo Rigorous Imprisonment for a period of 2 years for each accused and no fine imposed, for offence under Section 4 r/w 76 of Chit Fund Act, 1982.



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3.2. Aggrieved, petitioners filed present Criminal Revision Petition in Crl.RC(MD)No.1676 of 2025 before this Court along with instant miscellaneous petition seeking suspension of sentence and bail.

4. Learned Counsel for petitioners would further submit that petitioners have raised substantial grounds in above revision, which requires consideration; and that they also paid fine amount as per the order of trial Court. Hence, he prayed for granting suspension of sentence and bail to petitioners.

5. Learned Government Advocate appearing for respondent opposed the submissions of learned counsel for petitioners and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioners at this stage be refused by this Court.



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6. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and bail, on the following conditions, till the disposal of above Criminal Revision:

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

ii) Petitioners and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

iii) Petitioners shall appear and sign before Chief Judicial Magistrate, Tiruchirappalli, on the first working day of every month at 10.30 a.m., until the disposal of revision;

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



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iv) In case, if petitioners 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. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of their absence, as directed by the trial Court.

7. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

19.12.2025

Nsr

Note: Issue Order Copy on 07.01.2026.

To:

1.The III Additional District and Sessions Judge, Tiruchirappalli.

2.The Chief Judicial Magistrate, Tiruchirappalli.

3.The Inspector of Police,
E.O.W-II Wing, Trichy,
(Crime No.01 of 2007)
(C.C.No.83 of 2011)

4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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MOHAMMED SHAFFIQ, J.

Nsr

Order made in
CrI.MP(MD)No.20652 of 2025
in
CrI.RC.(MD)No.1676 of 2025

Dated: 19.12.2025