



WEB COPY

CRL MP No. 2436 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**Crl. MP No. 2436 of 2026
in Crl.RC.No.330 of 2026**

Malliga

...Petitioner(s)

Vs.

State by

The Inspector of Police, G-3,
Kilpauk Police Station,
Kilpauk, Chennai – 10
Crime No.1214 of 2005

...Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) BNSS, to suspend the conviction and sentence awarded to the petitioner / Appellant/ Appellant by the learned II Metropolitan Magistrate, Egmore, at Chennai in CC.No.2124 of 2007 by Judgment dated 03.10.2022 confirmed on Crl.A.No.221 of 2023 on the file of the VI-Additional Sessions Judge, City Civil Court, Chennai and the petitioner may be released on bail till the final disposal of her Criminal Revision pending before this Hon'ble High Court in Crl.R.C.No.330 of 2026.

For Petitioner(s): Mr.N.Kannan

For Respondent(s): Mr.R.Vinothraja
Government Advocate (Crl. Side)

ORDER



WEB COPY

CRL MP No. 2436 of 2



2. The case of the prosecution is that the petitioner (A2) had made a false representation that she had passed the 6th standard examination, whereas she had not completed even the 4th standard and sought to obtain a job in the Cooperative Society and thus committed the aforesaid offence.

3. The learned counsel for the petitioner would submit that the petitioner was originally charged with offences under Sections 464, 465 and 468 r/w Section 471 IPC and though no charge was framed under Section 420 IPC, the petitioner was convicted under the said provision without giving any opportunity to object to the framing of charges.

4. Heard the learned Government Advocate (Crl. Side) for the respondent.

5. Considering the submissions made by the learned counsel for the petitioner and finding force in the same, this Court is inclined to suspend the



sentence imposed on the petitioner and exempt her from surrendering before the trial Court, till the disposal of the above Criminal Revision Case

WEB COPY

6. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended and exempted her from surrendering before the trial Court, till the disposal of the above Criminal Revision Case and the petitioner is ordered to be released on bail on the following conditions:

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned II Metropolitan Magistrate, Egmore at Chennai;
- (ii) The petitioner and 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 and mobile numbers to ensure their identity; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision case and if she is not able to appear before the trial Court on any day, she 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 her absence, as directed by the trial Court.



WEB COPY

Mac

CRL MP No. 2436 of 2



13-02-2026

2/2

To

1. The II Metropolitan Magistrate, Egmore, Chennai
2. The VI-Additional Sessions Judge, City Civil Court, Chennai
3. The Inspector of Police, G-3,
Kilpauk Police Station,
Kilpauk, Chennai – 10
4. The Public Prosecutor,
High Court of Madras, Madras.



WEB COPY

CRL MP No. 2436 of 2



SUNDER MOHAN, J.

Mac

CRL MP No. 2436 of 2026
in
Crl.RC.No.330 of 2026

13.02.2026

2/2