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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 02-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP Nos. 5917 and 5920 of 2026

in

CRL RC No. 754 of 2026

Kannan

..Petitioner

Vs

The State Rep By,
The Inspector of Police
Ethaapur Police Station,
Salem District.

..Respondent

Prayer in Crl.MP.No.5917 of 2026: Criminal Miscellaneous Petition filed under section 438(1) of BNSS to suspend the sentence imposed in CA.No.70 of 2023 dated 19.12.2025 passed by the learned Additional District and Sessions Judge, Aathur in conforming the Judgment in CC.No.72 of 2019 dated 28.02.2023 passed by the learned Judicial Magistrate Court No.1 Aathur.

Prayer in Crl.MP.No.5920 of 2026: Criminal Miscellaneous Petition filed under section 528 of BNSS to grant exemption from surrender of the petitioner in sentence imposed in C.A.No.70 of 2023 dated 19.12.2025 passed by the learned Additional District and Sessions Judge, Aathur in confirming the judgment in C.C.No.72 of 2019 daed 28.02.2023 passed by the learned Judicial Magistrate Court No.1 Aathur.

For Petitioner:

Mr.P.Muthamizhselvakumar



ORDER

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The petitioner has preferred the above revision challenging the judgment dated 19.12.2025 passed by the learned Additional District and Sessions Judge, Aathur, confirming the judgment of the learned Judicial Magistrate No.I, Aathur convicting and sentencing the petitioner to undergo two years of simple imprisonment for the offence under section 384 IPC and fine amount of Rs.1000/- in default to pay the fine to undergo one month simple imprisonment.

2. The instant petitions have been filed to suspend the sentence imposed on the petitioner and to exempt the petitioner from surrendering before the trial Court, pending disposal of the above revision.

3. The case of the prosecution is that the petitioner being a Press Reporter threatened the de facto complainant. Hence, this case.

4. The learned counsel for the petitioner submitted that the petitioner is a reporter who wanted to unearth some illegalities. Hence the de facto complainant has given a false complaint, however, he submitted that the de facto complainant was not at all examined before the Court. By over looking



such material aspect, both Court below has given a finding and found guilty and apart from that, the petitioner has also raised some grounds that needs detailed deliberation which requires elaborate hearing.

5. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

6. Having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above revision which require consideration, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court, subject to the following conditions:

- (i) The petitioner shall execute 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 Judicial Magistrate No.I, Aathur;
- (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 and if he is not able to appear before the Trial Court on any day, he 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.

7. Accordingly, these Criminal Miscellaneous Petitions are ordered.

02-04-2026

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

SHL

To:

1. The Judicial Magistrate No.I, Aathur
2. The Additional District and Sessions Judge, Aathur
3. The Inspector of Police
Ethaapur Police Station,
Salem District.
4. The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN J.

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