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Crl.M.P.No.1836 of 2026
in Crl.R.C.No.257 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05.02.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P.No.1836 of 2026
in
Crl.R.C.No.257 of 2026

Ilango

...Petitioner

-VS-

The State Rep. By
The Inspector of Police,
CID Police Station,
Puducherry,
Crime No.417 of 2009.

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430(2) of BNSS, praying to suspend the sentence imposed in the judgment dated 17.12.2025 made in Crl.A.No.16 of 2023 passed by the learned III Additional Sessions Judge, Puducherry, partly confirmed the judgment of the learned Chief Judicial Magistrate, Puducherry in C.C.No.168 of 2011 dated 31.01.2023, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Case.

For Petitioner : Mr.K.T.Siva Kumar

For Respondent : Mr.M.V.Ramachandra Murthy,
Public Prosecutor (Pondy)



Crl.M.P.No.1836 of 2026
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ORDER

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The petitioner has preferred the above revision challenging the judgment passed by the III Additional Sessions Judge, Puducherry, in Crl.A.No.16 of 2023 dated 17.12.2025, partly confirming the judgment of the learned Magistrate convicting the petitioner for the following offences:

Conviction under Sections	Sentence awarded
420 r/w 34 of IPC	To undergo rigorous imprisonment for seven years and to pay a fine of Rs.10,000/- and in default to undergo simple imprisonment for three months.
471 r/w 34 of IPC	To undergo rigorous imprisonment for two years and to pay a fine of Rs.10,000/- and in default to undergo simple imprisonment for three months.

2. Aggrieved by the same, he filed Crl.A.No.257 of 2026 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

3. The case of the prosecution is that the petitioner, arrayed as A5, had conspired with the other accused in collecting funds from the general public on the promise of arranging employment in the Public Works Department (PWD) under the NMR Scheme, and had handed over the collected amount to the first accused, thereby committing the offence.



Crl.M.P.No.1836 of 2026
in Crl.R.C.No.257 of 2026

WEB COPY

4. The learned counsel for the petitioner would submit that even according to the prosecution, the petitioner had not gained wrongfully and that he had only handed over the amount to the first accused; that there is no evidence to show that the petitioner entered into the conspiracy with the other accused to commit the commission of the offence. He would further submit that the petitioner is aged about 72 years and has been in custody from 17.12.2025.

5. Heard the learned Public Prosecutor Pondicherry for the respondent who would submit that the petitioner had not gained wrongfully.

6. Considering the fact that there is no material to show that the petitioner has gained wrongfully, and that the petitioner has raised substantial grounds in the above revision which require consideration, and since the revision is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

7. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above criminal revision case and the petitioner is ordered to be released



Crl.M.P.No.1836 of 2026
in Crl.R.C.No.257 of 2026

on bail on the following conditions:

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- (i)The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties, each for a like sum to the satisfaction of the learned Chief Judicial Magistrate, Puducherry;
- (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.

05.02.2026
(2/2)

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Crl.M.P.No.1836 of 2026
in Crl.R.C.No.257 of 2026

To

- 1.The III Additional Sessions Judge, Puducherry.
- 2.The Chief Judicial Magistrate, Puducherry.
- 3.The Superintendent,
Central Prison, Puducherry.
- 4.The Public Prosecutor,
High Court, Madras.



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Crl.M.P.No.1836 of 2026
in Crl.R.C.No.257 of 2026

SUNDER MOHAN, J.

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Crl.M.P.No.1836 of 2026
in
Crl.R.C.No.257 of 2026

05.02.2026
(2/2)