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CRL MP No. 6957 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-04-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP Nos. 6957 & 6958 of 2026

IN

CRL RC NO. 891 OF 2026

Nagaraj
S/o.Muthusamy,
Kaliammal Layout,
NGGo Colony,
Suleswaranpatty,
Pollachi,
Coimbatore District.

..Petitioner(s)

Vs

State Rep. by, Sub Inspector of Police,
Pollachi.
Cr.No.1/2014

..Respondent(s)

PRAYER IN CRL.MP.NO.6957 OF 2026: Criminal Miscellaneous
Petition filed under Section 438 r/w 442 of BNSS, 2023 to suspend the sentence of imprisonment, as confirmed by III Additional District and Sessions Judge, Coimbatore, in C.A.No.217 of 2023 dated 18.12.2025, arising out of the judgment of conviction and sentence dated 23.06.2023 passed by the Judicial Magistrate No.I, Pollachi in C.C.No.47 of 2015, pending disposal of the present Criminal Revision Petition, and pass such further or other orders as this Honble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

PRAYER IN CRL.MP.NO.6958 OF 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to exempt the petitioner from surrendering pursuant to the sentence dated 18.12.2025 passed in C.A.No.217



of 2023 on the file of the III Additional District and Sessions Judge, Coimbatore, confirming the judgment of conviction and sentence dated 23.06.2023 made in C.C.No.47 of 2015 on the file of the Judicial Magistrate No.I, Pollachi, pending disposal of the Criminal Revision Petition, and pass such further or other orders as this Honble Court may deem fit and proper in the facts and circumstances of the case and thus render justice.

For Petitioner(s): Mr.A.Ramkumar

For Respondent(s): Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

COMMON ORDER

The petitioner has preferred the above revision challenging the judgment dated 18.12.2025 passed by the learned III Additional District and Sessions Judge, Coimbatore, in Crl.A.No.217 of 2023, confirming the judgment dated 23.06.2023 passed in C.C.No.47 of 2015 on the file of the learned Judicial Magistrate No.1, Pollachi, pending disposal of the above criminal revision, and to enlarge the petitioner on bail. 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.

2. The petitioner has been convicted and sentenced by the learned Trial Judge as follows:-



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Accused	Conviction under Sections	Sentence awarded
A1	U/s. 494 of IPC	One year simple imprisonment and fine of Rs.5,000/- in default to undergo one week simple imprisonment

3. Aggrieved by the same, the petitioner filed a Criminal Appeal in CrI.A.No.217 of 2023, and the same was dismissed by the learned III Additional District and Sessions Judge, Coimbatore, by confirming the judgment dated 23.06.2023 passed in C.C.No.47 of 2015. Aggrieved by the same, the petitioner has filed criminal miscellaneous petitions seeking suspension of sentence and exemption from surrendering before the Trial Court.

4. The learned counsel for the petitioner submitted that, though the petitioner has been convicted under Section 494 IPC, there are no materials to on record to establish the essential ingredients of a valid marriage between the petitioner and P.W.1 on the one hand, and the petitioner and PW.10 on the other hand. He further submitted that the petitioner was convicted before the trial Court dated 23.06.2023 in CC.No.47 of 2015 and sentenced him to undergo one year simple imprisonment and directed to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for one week and that the appellate court confirmed the judgment on 18.12.2025 in CrI.A.No.217 of 2023. Hence, he has



raised substantial grounds in this revision.

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

6. On perusal of the revision petition, it is seen that the petitioner has raised various grounds challenging the judgment of the Court below, which require detailed examination and consideration.

7. Considering the above aspects, this Court is inclined to suspend the sentence and exempt the petitioner from surrendering before the Trial Court.

8. Accordingly, these Criminal Miscellaneous Petition stands **ordered**; the sentence imposed on the petitioner is suspended before the Trial Court till the disposal of the above criminal revision case. The petitioner shall be released on bail subject to the following conditions:

- (i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.1, Pollachi;
- (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.

20-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

DRL

To

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

2.The Judicial Magistrate No.I,
Pollachi.

3.The Sub Inspector of Police,
Pollachi.

4.The Public Prosecutor,
High Court, Madras.



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C.KUMARAPPAN, J.

DRL

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(2/2)**

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