



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-05-2026

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THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL MP No.8940 of 2026

IN

CRL RC NO.1124 OF 2026

Dr.Vivek Mady

..Petitioner(s)

Vs

State rep. by,
The Inspector of Police,
W4-All Women Police Station,
Kilpauk, Chennai.
Cr.No.4 of 2009.

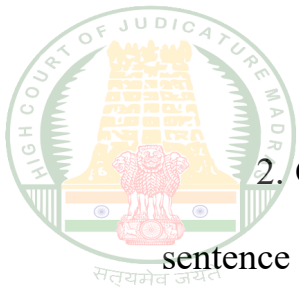
..Respondent(s)

Prayer : This petition is filed under Section 430(1) & (2) of BNSS, 2023, pleaded to suspend the sentence passed in the impugned judgment dated 29.04.2026 in Criminal Appeal No.1234 of 2025 passed by XIX Additional City Civil Court, Chennai, confirming the judgment dated 10.09.2025 in C.C.No.185 of 2017 passed by the Additional Mahila Court, Egmore, Chennai, till the disposal of this Revision Petition and enlarge the petitioner on bail.

For Petitioner(s):	Mr.Abdul Saleem (Senior Counsel) for Mr.M.Yogesh Kanna
For Respondent(s):	Mr.R.Ganesh Kumar, Government Advocate (Criminal Side)

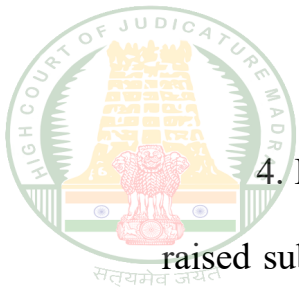
ORDER

Heard Mr.Abdul Saleem, learned Senior Counsel for the Revision Petitioner and Mr.R.Ganesh Kumar, learned Government Advocate (Criminal Side), who accepts notice on behalf of the Respondent.



2. Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed on petitioner by the Additional Mahila Court, Egmore, Chennai, in CC.No.185 of 2017, dated 10.09.2025, which was confirmed by XIX Additional City Civil Court, Chennai in C.A.No.1234 of 2025, dated 29.04.2026.

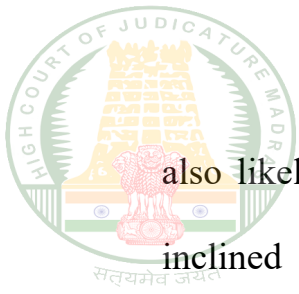
3. Learned counsel for petitioner would submit that petitioner was convicted by the Additional Mahila Court, Egmore, Chennai for the offences under Sections 498 (A), 377, 506 (i) of I.P.C. and 248 (2) of Cr.P.C. and sentenced him to undergo Simple Imprisonment for two years and to pay a fine of Rs.5,000/-, in default of payment of fine, to undergo simple imprisonment for three months in respect of the conviction under Section 498 (A) of IPC and; to undergo Simple Imprisonment for three years and to pay a fine of Rs.5,000/-, in default of payment of fine, to undergo simple imprisonment for three months in respect of the conviction under Section 377 of IPC and to undergo one year Simple Imprisonment as per Section 506 (i) of I.P.C. Aggrieved, petitioner filed C.A.No.1234 of 2025, before XIX Additional City Civil Court, Chennai and lower Appellate Court vide order dated 29.04.2026, dismissed the appeal, confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC.No.1124 of 2026 before this Court along with instant miscellaneous petition seeking suspension of sentence.



4. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in above revision, which requires consideration; and that he also paid fine amount as per the order of trial Court. He further submits that the petitioner is a Doctor. There were matrimonial disputes between the petitioner and his wife and the allegation is that he had committed offence under Section 377 I.P.C. against his own son who was five years old which is denied and submission was made only to settle scores. He further submitted that before the Appellate Court arguments made with reference to suspension of sentence were not even considered and thus submitted that the entire proceeding suffers from non application of mind and suffers from gross violation of the principles of natural justice. Hence, he prayed for granting suspension of sentence to the petitioner.

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

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 to the petitioner on the following conditions, till the disposal of above Criminal Revision:

i) Petitioner is directed to 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 **Additional Mahila Court, Egmore, Chennai;**

ii) Petitioner 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;

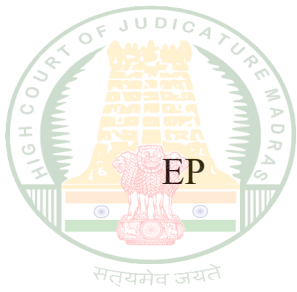
iii) Petitioner shall appear and sign before the **Additional Mahila Court, Egmore, Chennai**, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, if petitioner is not able to appear before the trial Court on that day, he 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 his absence, as directed by the trial Court.

7. Accordingly, this Criminal Miscellaneous Petitions are ordered.

29-05-2026
(2/2)

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



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Note:

1. Registry is directed to forthwith upload this order on the Official Website of this Court.

2. All concerned to act on this order being uploaded on Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To:

1. The Additional Mahila Court, Egmore, Chennai.
2. XIX Additional City Civil Court, Chennai.
3. The Inspector of Police,
W4-All Women Police Station,
Kilpauk, Chennai.
4. The Public Prosecutor,
Madras High Court.



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CRL MP No.8940 of 2



MOHAMMED SHAFFIQ, J.

EP

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IN
CRL RC NO.1124 OF 2026**

**29-05-2026
(2/2)**