



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

CORAM

THE HON'BLE MR.JUSTICE MOHAMMED SHAFFIQ

CRL MP Nos. 8531 & 8532 of 2026

IN

CRL RC NO. 1059 OF 2026

J.Mangilal

..Petitioner(s) in
both Crl.M.P's

Vs

State rep. by,
The Inspector of Police,
P-6, Kodungaiyur Police Station,
Chennai - 600 118.
Cr.No.618 of 2018.

..Respondent(s)
in both Crl.M.P's

Prayer in CRL MP No. 8531 of 2026: This petition is filed under Section 430(3) of BNSS, 2023, pleaded to suspend the sentence made in judgment dated 22.04.2026 made in C.A.No.564 of 2024 by the learned VII Additional District and Sessions Judge, Chennai, partly allowed the judgment dated 16.07.2024 made in CC.No.338 of 2022 on the file of the X Metropolitan Magistrate Court, Egmore, Chennai, pending disposal of the above Criminal Revision Petition.

Prayer in CRL.M.P.No. 8532 of 2026: This petition is filed under Sections 528 r/w. 430, 442 & 443 of BNSS Act, 2023, to exempt the from surrendering before the trial court in pursuance to the judgment dated 22.04.2026 made in C.A.No.564 of 2024 on the file of the VII Additional District and Sessions Court, Chennai partly allowed the judgment dated 16.07.2024 made in CC.No.338 of 2022 on the file of the X Metropolitan Magistrate Court, Egmore, pending disposal of the Criminal Revision Petition.



For Petitioner(s):
For Respondent(s):

Mr.R.Ravichandran
Mr.R.Ganesh Kumar,
Government Advocate (Criminal Side)

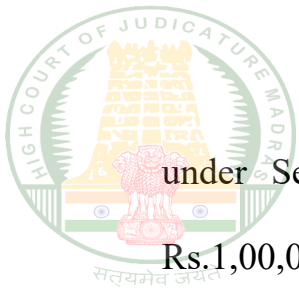
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COMMON ORDER

Heard Mr.R.Ravichandran, learned 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 learned X Metropolitan Magistrate, Egmore, Chennai, in CC.No.338 of 2022, dated 16.07.2024, which was partly confirmed by the learned VII Additional District and Sessions Judge, Chennai in C.A.No.564 of 2024, dated 22.04.2026 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by the learned X Metropolitan Magistrate, Egmore, Chennai for offences under Sections 406 & 420 of IPC 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 406 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 420 of IPC and was directed to pay a compensation of Rs.1,00,000/- each to the witnesses 1 to 15 within three months. Aggrieved, petitioner filed C.A.No.564 of 2024, before VII Additional District and Sessions Judge, Chennai and lower Appellate Court vide order dated 22.04.2026, allowed the appeal in part by confirming the judgment passed by Trial Court in respect of the conviction under Section 406 of IPC alone and modified the condition in respect of payment of compensation of Rs.1,00,000/- in favour of witnesses P.W.1 to P.W.10 alone instead of the witnesses P.W.1 to P.W.15. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC.No.1059 of 2026 before this Court along with instant miscellaneous petitions seeking suspension of sentence and exemption from surrender.

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. 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 and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of above Criminal Revision:

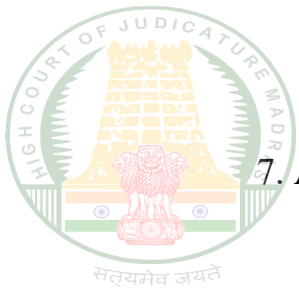
i) Petitioner is directed to execute a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand only)** with two sureties each for a like sum to the satisfaction of the learned **X Metropolitan Magistrate, Egmore, Chennai;**

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 learned **X Metropolitan Magistrate, 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.

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



7. Accordingly, this Criminal Miscellaneous Petitions are ordered.

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27-05-2026
(2/2)

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

EP

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 VII Additional District and Sessions Judge, Chennai.
2. The X Metropolitan Magistrate, Egmore, Chennai.
3. The Inspector of Police, P-6, Kodungaiyur Police Station, Chennai – 600 118.
4. The Public Prosecutor, Madras High Court.



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MOHAMMED SHAFFIQ, J.

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