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Crl.MP.No.8538 of 2026 in Crl.RC.No.1060 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 10.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

Crl.MP.No.8538 of 2026
in Crl.RC.No.1060 of 2026

Mr.Jacob, S/o.Mariya Arokiyam
180, 5th Street, Gandhi Nagar, Viyasarpadi
Chennai 600039

Petitioner

Vs

State represented by the Inspector of Police
P5 MKB Nagar Police Station
Chennai

Respondent

Prayer:- This Crl.MP has been filed, under Section 438 read with 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (BNSS), praying to suspend the sentence, imposed on the Revision Petitioner, in Crl.A.No.745 of 2024, dated 16.03.2026, by the XVI Additional City Civil Court, Chennai, confirming the judgement of conviction and sentence and order, dated 09.09.2024, in CC.No.1106 of 2022, passed by the X Metropolitan Magistrate, Egmore, Chennai and to enlarge the Petitioner on bail, till the disposal of the instant Criminal Revision Case.

For Revision Petitioner : Mr.J.Jayan

For Respondent : Mr.M.Dinesh, GA(Criminal Side)

ORDER



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1. This Criminal Miscellaneous Petition has been filed, by the Revision Petitioner, praying to suspend the sentence, imposed on the Revision Petitioner, in Crl.A.No.745 of 2024, dated 16.03.2026 by the XVI Additional City Civil Court, Chennai, confirming the judgement of conviction and sentence and order, dated 09.09.2024, in CC.No.1106 of 2022, passed by the X Metropolitan Magistrate, Egmore, Chennai and to enlarge the Petitioner on bail, till the disposal of the instant Criminal Revision Case.
2. By the impugned judgement of conviction and sentence and order of the Trial Court, the Revision Petitioner was convicted and sentenced for the offence punishable under Section 465 of IPC to undergo one year Rigorous Imprisonment and to pay a fine of Rs.2,000/-, in default to undergo Rigorous Imprisonment for three months and for the offence punishable under Section 468 of IPC to undergo Rigorous Imprisonment for three years and to pay a fine of Rs.2,000/-, in default to undergo Rigorous Imprisonment for three months and for the offence punishable under Section 471 of IPC to undergo Rigorous Imprisonment for three years and to pay a fine of Rs.2,000/-, in default to undergo Rigorous Imprisonment for three months and for the offence punishable under Section 420 read with 109 of IPC to undergo Rigorous Imprisonment

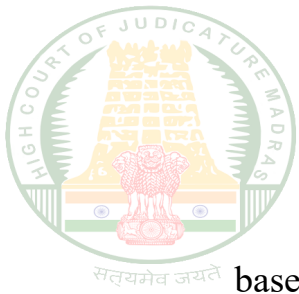


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for three years and to pay a fine of Rs.2,000/-, in default to undergo Rigorous Imprisonment for three months and the sentences were ordered to run concurrently. The impugned judgement judgement of conviction and sentence and order of the Trial Court was confirmed by the lower appellate Court, by its impugned judgement of conviction and sentence and order.

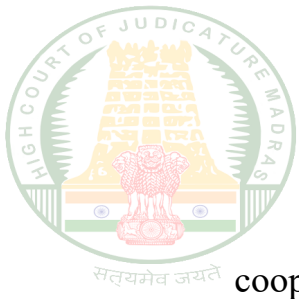
3. Challenging the above said judgement of conviction and sentence and order of the lower appellate court, the Revision Petitioner has filed the above Criminal Revision Case, along with the instant Criminal Miscellaneous Petition, seeking suspension of sentence and bail.
4. This Court heard Mr.J.Jayan, the learned counsel for the Petitioner and Mr.M.Dinesh, the Government Advocate (Criminal Side) for the Respondent and considered their submissions and also perused materials placed before this Court.
5. The learned counsel for the Petitioner has submitted that the Prosecution has not proved their case against the Revision Petitioner beyond all reasonable doubts and that the courts below failed to note the contradictory statements of the witnesses and that both the courts below have failed to consider the entire evidence, in a proper and perspective manner and that the judgments passed by both the Courts below were



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based on surmises and conjectures, without considering the entire evidence on record.

6. It is further argued that due to pendency of the criminal cases before this High Court, there is a blinking chance that in the near future, this Criminal Revision Case will be finally heard and decided. It is further submitted that there are arguable points in this Criminal Revision Case and the Revision Petitioner has a fair chance of success in this Criminal Revision Case. Thus, the learned counsel for the Revision Petitioner has prayed for suspension of sentence and bail, till the disposal of this Criminal Revision Petition.
7. Several other submissions in order to demonstrate the falsity of the allegations made against the Revision Petitioner have also been placed forth before the Court. The circumstances which, according to the counsel, led to the false implication of the accused have also been touched upon at length. It has been assured on behalf of the Revision Petitioner that he is ready to cooperate with the process of law and shall faithfully make himself available before the Court, whenever required and is also ready to accept all the conditions, which the Court may deem fit to impose upon him. The Revision Petitioner undertakes that in case he is released on bail, he will not misuse the liberty of bail and will

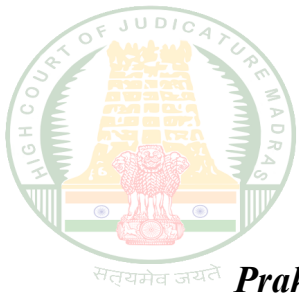


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cooperate in disposal of Revision.

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8. The learned Government Advocate (Criminal Side) for the Respondent has opposed the arguments advanced by the learned counsel for the Revision Petitioner and submits that the judgements passed by the Courts below are as per the law, after considering the entire evidence and thus, the relief sought by the Revision Petitioner, at this stage, be refused by this Court.
9. Considering the arguments advanced by the learned counsel for the Revision Petitioner as well as the learned Govt. Advocate (Criminal Side) for the Respondent, this Court is of the view that both the courts below have failed to appreciate the evidence on record and the impugned judgments were passed, without considering the entire materials placed before it and during the Trial, the Revision Petitioner was also on bail.
10. Further, it is observed that when the accused have been under incarceration for sometime and when there are points in the Revision, which favour the accused, then the Courts should not shy from granting suspension of sentence, as the liberty of the individual would be at stake, if the revision results in acquittal at a later point of time. In this regard, the decision of the Hon'ble Supreme Court of India, in the case of **Rabi**



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Prakash Vs. The State of Odhisha reported in 2023 Live Law (SC) 533

is of relevance.

11.The Revision Petitioner has raised substantial grounds in the Revision, which require detailed appraisal. Further, the Revision is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the Revision Petitioner is entitled to the relief of suspension of sentence and bail.

12.Accordingly, pending the Criminal Revision Case, the relief of suspension of sentence and bail is granted to Revision Petitioner, namely, M.Jacob, S/o.Mariya Arokiyam, on the following conditions:-

- i. The Revision Petitioner shall surrender before the X Metropolitan Magistrate, Egmore, Chennai, within three weeks from the date of receipt of a copy of this order and on such surrender, the Revision Petitioner is ordered to be released on bail, on his executing a personal bond, along with two sureties for a sum of Rs.15,000/- each and subject to furnishing an undertaking that he will co-operate in the hearing of the present Revision.
- ii. The Revision Petitioner and sureties shall affix their Photographs and Left Thumb Impression in the bond and the above said Court may obtain copies of their Aadhaar card or Bank pass Book to ensure their identity.
- iii. The realization of fine, if any, shall also remain suspended during the pendency of the present Revision.



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iv. The Revision Petitioner shall appear before the X Metropolitan Magistrate, Egmore, Chennai, once in every month, ie., on the first working day, commencing from the month of July 2026, at 10.30 a.m., until further orders.

13. On acceptance of his bail bonds and sureties, the Trial Court shall transmit photostat copies thereof to this Court for being kept on records of this Revision.

14. With the above directions, this Criminal Revision Petition is ordered.

10.06.2026

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Index: Yes/No
Web: Yes/No
Speaking/Non Speaking
Neutral Citation
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To

1. The XVI Additional City Civil Court, Chennai
2. The X Metropolitan Magistrate, Egmore, Chennai
3. The Inspector of Police, P5 MKB Nagar Police Station, Chennai
4. The Public Prosecutor, Madras High Court, Madras



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SHAMIM AHMED, J.

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