



Crl.M.P.Nos.8555 and 8556 of 2026 in Crl.R.C.No.1065 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP NOS.8555 and 8556 of 2026

in CRL RC No.1065 of 2026

Nagaraj

... Petitioner

Vs

State represented by,
The Sub Inspector of Police,
All Women Police Station,
Bhavani,
Erode District.
Crime No.18 of 2019

... Respondent

Prayer in Crl.M.P.No.8555 of 2026: To suspend the sentence of imprisonment imposed upon the petitioner by judgment dated 16.04.2026 in C.A.No.92 of 2023 before the Hon'ble IV Additional District and Sessions Judge, Erode District at Bhavani, confirming the conviction and sentence in C.C.No.31 of 2020 dated 28.02.2023 on the file of learned Judicial Magistrate No.I, Bhavani and enlarge the petitioner on bail pending disposal of the above criminal revision case.

Prayer in Crl.M.P.No.8556 of 2026: To exempt the petitioner from surrender before the Trial Court pursuant to the judgment dated 16.04.2026 in C.A.No.92 of 2023 before the Hon'ble IV Additional District and Sessions Judge, Erode District at Bhavani, confirming the conviction and sentence in C.C.No.31 of 2020 dated 28.02.2023 on the file of learned Judicial Magistrate No.I, Bhavani and enlarge the petitioner on bail pending disposal of the above criminal revision case.

For Petitioner(s)

: Mr. J. Ranjith Kumar



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For Respondent(s)

: Mr. R. Ganesh Kumar
Government Advocate (Crl. Side)

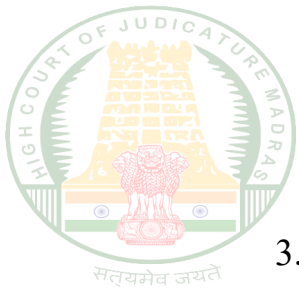
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COMMON ORDER

Heard Mr.J.Ranjith Kumar, learned Counsel for the Revision Petitioner and Mr.R.Ganesh Kumar, learned Government Advocate (Crl.Side), who accepts notice on behalf of the Respondent.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.I, Bhavani, in C.C.No.31 of 2020, dated 28.02.2023, which was confirmed by IV Additional District and Sessions Judge, Erode District at Bhavani in C.A.No.92 of 2023, dated 16.04.2026 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted and sentenced by Judicial Magistrate No.I, Bhavani, in C.C.No.31 of 2020, dated 28.02.2023 for the offence under Section 354 IPC and sentenced to undergo Rigorous Imprisonment for a period of 3 years and to pay a fine of Rs.1,000/- in default of payment, to undergo Simple Imprisonment for a further period of 3 months.

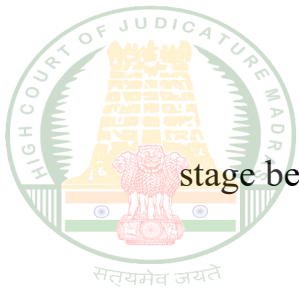


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3.1. Aggrieved, petitioner filed Criminal Appeal No.92 of 2023 before VI Additional District and Sessions Judge, Erode District at Bhavani and lower Appellate Court vide order dated 16.04.2026, partly allowed the appeal by confirming the conviction and modified the sentence imposed by the Trial Court to one year Rigorous imprisonment with fine Rs.1,000/-, in default to undergo further one month simple imprisonment. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC.No.1065 of 2026 before this Court along with instant miscellaneous petition 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. Hence, he prayed for granting suspension of sentence to the petitioner and exempting the petitioner from surrendering before the Trial Court.

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.

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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 imposed upon the petitioner by the Court below, for a period of one year from today (27.05.2026)** and exempt the petitioner from surrendering before the trial Court, on the following conditions:

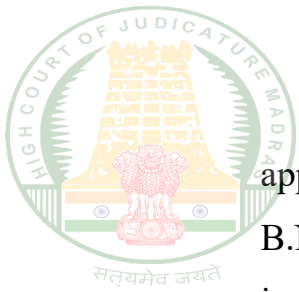
(i) Petitioner is directed to execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.I, Bhavani;

(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 Judicial Magistrate No.I, Bhavani, 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

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



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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.

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7. Accordingly, these Criminal Miscellaneous Petitions are **ordered.**

27.05.2026
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Note :

1. Registry is directed to forthwith upload this order in the Official Website of this Court.
2. All concerned to act on this order being uploaded in 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.

MOHAMMED SHAFFIQ, J.

stn

To

1. The Additional District Judge and Sessions Judge, Erode at Bhavani



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2. The Judicial Magistrate No.I, Bhavani.

3. The Public Prosecutor,
High Court of Madras.

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27.05.2026

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