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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2026

CORAM

THE HON'BLE MR.JUSTICE SHAMIM AHMED

CRL MP No. 19278, 19280, 19281, 19283 & 19284 of 2026

in

CRL RC Nos.8, 14, 16, 37 & 68 of 2022

Vijayaraj
S/o Dhandapani, No.24B, Gandhiji Street,
Sikkarayapuram, Onampalayam,
Deenampalayam Post, Vadavalli,
Coimbatore.

..Petitioner in all these cases

Vs

The State rep by the Inspector of
PoliceCCIW/CCID, Coimbatore. Crime
No.1/2014.

..Respondent in all these cases

CRL MP No. 19278 of 2026

To Suspend the Sentence imposed on the petitioner Judgment made in Crl.A.No.256 of 2019 on the file of the IV Additional District and Sessions Court, Coimbatore dated 08.11.2021 confirming the conviction and Sentence imposed on him by Judgment made in C.C.No.44 of 2014 on the file of Judicial Magistrate No.IV, Coimbatore, dated 17.07.2019 pending disposal of the above Revision in Crl.R.C.No.8 of 2022.

CRL MP No. 19280 of 2026

To Suspend the Sentence imposed on the petitioner Judgment made in Crl.A.No.257 of 2019 on the file of the IV Additional District and Sessions Court, Coimbatore dated 08.11.2021 confirming the conviction and Sentence imposed on him by Judgment made in C.C.No.43 of 2014 on the file of Judicial Magistrate No.IV, Coimbatore, dated 17.07.2019 pending disposal of the above Revision in Crl.R.C.No.14 of 2022.

CRL MP No. 19281 of 2026

To Suspend the Sentence imposed on the petitioner Judgment made

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in Crl.A.No.260 of 2019 on the file of the IV Additional District and Sessions Court, Coimbatore dated 08.11.2021 confirming the conviction and Sentence imposed on him by Judgment made in C.C.No.41 of 2014 on the file of Judicial Magistrate No.IV, Coimbatore, dated 17.07.2019 pending disposal of the above Revision in Crl.R.C.No.16 of 2022.

CRL MP No. 19283 of 2026

To Suspend the Sentence imposed on the petitioner Judgment made in Crl.A.No.259 of 2019 on the file of the IV Additional District and Sessions Court, Coimbatore dated 08.11.2021 confirming the conviction and Sentence imposed on him by Judgment made in C.C.No.45 of 2014 on the file of Judicial Magistrate No.IV, Coimbatore, dated 17.07.2019 pending disposal of the above Revision in Crl.R.C.No.37 of 2022.

CRL MP No. 19284 of 2026

To Suspend the Sentence imposed on the petitioner Judgment made in Crl.A.No.258 of 2019 on the file of the IV Additional District and Sessions Court, Coimbatore dated 08.11.2021 confirming the conviction and Sentence imposed on him by Judgment made in C.C.No.42 of 2014 on the file of Judicial Magistrate No.IV, Coimbatore, dated 17.07.2019 pending disposal of the above Revision in Crl.R.C.No.68 of 2022.

Common Appearance

For Petitioner(s): Mr.B.Kumarasamy

For Respondent(s): Mr.M.Dinesh, Government Advocate (Crl.Side)

COMMON ORDER

These Criminal Miscellaneous Petitions have been filed by the petitioner, Vijayaraj, seeking suspension of the sentences imposed on him in Crl.A.Nos.256, 257, 260, 259 and 258 of 2019, respectively, by the learned IV Additional District and Sessions Judge, Coimbatore, by judgments dated

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08.11.2021, confirming the judgments of conviction and sentence passed by the learned Judicial Magistrate No.IV, Coimbatore, in C.C.Nos.44, 43, 41, 45 and 42 of 2014, respectively, dated 17.07.2019, pending disposal of the corresponding Criminal Revision Cases in Crl.R.C.Nos.8, 14, 16, 37 and 68 of 2022.Since all these Criminal Miscellaneous Petitions arise out of cases of a similar nature and involve common petitioner and common questions for consideration, they are taken up together and disposed of by this common order.

2.The petitioner was convicted for the offences under Sections 408 and 477-A of the Indian Penal Code and sentenced to undergo imprisonment for two years for each offence and to pay a fine of Rs.1,000/- for each offence. Aggrieved by the judgments of conviction and sentence, the petitioner preferred the above Criminal Revision Cases before this Court.

3.It is seen that this Court, by separate orders dated 05.07.2024, had granted suspension of sentence to the petitioner, subject to certain conditions, including the condition to deposit the stipulated amount in the respective Calendar Cases. However, the petitioner was unable to comply with the said condition due to financial difficulties. Consequently, on account of non-compliance with the conditions imposed by this Court, the petitioner was **secured by the respondent police on 10.09.2026** and remanded to judicial custody, where he has remained in confinement since then.

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4.Subsequently, the petitioner filed the present Criminal Miscellaneous Petitions seeking suspension of sentence and bail. This Court, by separate orders dated 08.10.2026 passed in the respective petitions, directed the petitioner to deposit the amount stipulated therein in each of the respective Calendar Cases before the learned Judicial Magistrate No.IV, Coimbatore, within a period of three weeks and to produce the deposit receipts before this Court on or before 29.10.2026. It was further directed that the petitions seeking suspension of sentence and bail would be considered upon production of the deposit receipts.

5.The learned counsel for the petitioner has now filed compliance memoranda in all the five petitions, submitting that, in compliance with the directions issued by this Court, the petitioner has deposited the respective amounts directed to be deposited in the corresponding Calendar Cases on 22.10.2026 and has produced copies of the deposit receipts. The photocopies of the deposit receipts produced along with the respective memoranda of compliance are also taken on record. Thus, the petitioner has complied with the directions issued by this Court in all the five cases.

6.The learned counsel for the petitioner submits that the petitioner has duly complied with the conditions imposed by this Court and has been in judicial custody since 10.09.2026. It is further submitted that the petitioner was

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on bail during the trial and appellate proceedings and that he is ready to abide by any further conditions that may be imposed by this Court. Therefore, the learned counsel prays that the sentences imposed on the petitioner may be suspended and that he may be enlarged on bail pending disposal of the Criminal Revision Cases.

7.The learned counsel for the petitioner further submits that, in view of the pendency of the Criminal Revision Cases before this Court, there is little likelihood of the revisions being taken up for final disposal in the immediate future. It is contended that the petitioner is presently in judicial custody and that substantial and arguable grounds have been raised in the revisions, which require consideration by this Court. The learned counsel further submits that the petitioner has a fair chance of succeeding in the revisions.

8.The learned counsel for the petitioner has also advanced various submissions challenging the findings recorded by the Courts below and has referred to the circumstances which, according to him, resulted in the conviction of the petitioner. It is further submitted that the petitioner is ready to cooperate with the proceedings before this Court, to appear whenever required and to abide by any conditions that may be imposed. The petitioner has also undertaken not to misuse the liberty of bail and to cooperate with the disposal of the Criminal Revision Cases.

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9.Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent has opposed the submissions made by the learned counsel for the petitioner. It is contended that the judgments rendered by the Courts below are in accordance with law and were passed after due consideration of the evidence and materials available on record. Hence, the learned Government Advocate submits that the relief sought for by the petitioner does not warrant consideration.

10.Heard the learned counsel for the petitioner and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials available on record, including the compliance memoranda filed in the respective petitions.

11.This Court is of the view that the petitioner has complied with the directions issued by this Court on 08.10.2026 by depositing the stipulated amounts in the respective Calendar Cases. It is also not in dispute that the petitioner has been in judicial custody since 10.09.2026. The Criminal Revision Cases are pending consideration before this Court, and the grounds raised therein require detailed appraisal at the time of final hearing.

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12.It is well settled that, while considering a request for suspension of sentence pending a criminal revision, the Court is required to take into account the period of incarceration undergone by the petitioner, the nature of the grounds raised in the revision and the likelihood of the matter being taken up for final disposal in the near future. The liberty of an individual assumes significance, particularly when the challenge to the conviction and sentence is yet to be finally adjudicated.

13.In this regard, the decision of the Hon'ble Supreme Court in ***Rabi Prakash v. State of Odisha, reported in 2023 LiveLaw (SC) 533***, is relevant. The petitioner has raised grounds in the Criminal Revision Cases which require detailed consideration. Further, having regard to the pendency of the revisions and the fact that the petitioner has been in judicial custody since 10.09.2026, this Court is of the view that the continued incarceration of the petitioner pending disposal of the revisions is not warranted, subject to appropriate conditions.

14.Considering the overall facts and circumstances of the cases, the compliance made by the petitioner with the directions issued by this Court, the period of incarceration undergone by him and the pendency of the Criminal Revision Cases, this Court is inclined to grant the relief of suspension of sentence and bail to the petitioner.

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15.Accordingly, the sentences imposed on the petitioner, namely, Vijayaraj, S/o. Dhandapani, in Crl.A.Nos.256, 257, 260, 259 and 258 of 2019, which were confirmed by the learned IV Additional District and Sessions Judge, Coimbatore, by judgments dated 08.11.2021, are suspended pending disposal of the corresponding Criminal Revision Cases in Crl.R.C.Nos.8, 14, 16, 37 and 68 of 2022, respectively, and **the petitioner is ordered to be released on bail**, subject to the following conditions:

i. The petitioner shall execute bond to the satisfaction of the learned Judicial Magistrate No.IV, Coimbatore along with two sureties, each for a sum of Rs.15,000/-, in the following cases i.e., in C.C.Nos.44, 43, 41, 45 and 42 of 2014.

ii. The petitioner and the sureties shall affix their photographs and left thumb impressions in the bail bonds. The learned Judicial Magistrate No.IV, Coimbatore, shall obtain copies of their Aadhaar cards or bank passbooks for the purpose of verifying their identities.

iii. The petitioner shall appear before the learned Judicial Magistrate No.IV, Coimbatore, once every month, on the first working day of every month, commencing from December 2026, at 10.30 a.m., until further orders.

iv. The petitioner shall not misuse the above liberty granted to him and shall cooperate with the proceedings before this Court.

v. Upon acceptance of the bail bonds and sureties, the learned Judicial Magistrate No.IV, Coimbatore, shall transmit photocopies of the same to this

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Court for being kept on record in the respective Criminal Revision Cases.

16.With the above directions, all these Criminal Miscellaneous Petitions in CRL MP Nos. 19280, 19281, 19283 & 19284 of 2026 are ordered and are accordingly **allowed**.

29-10-2026

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

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To

1.The Inspector of Police CCIW/CCID, Coimbatore.

2.The IV Additional District and Sessions Court, Coimbatore.

3.The Judicial Magistrate No.IV, Coimbatore.

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SHAMIM AHMED J.

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