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Crl.M.P.Nos.19915 of 2025
in Crl.R.C.No.2151 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19.02.2026

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P.No.19915 of 2025
in
Crl.R.C.No.2151 of 2025

1.Subban @ Subramani
2.Muthusamy @ Annadurai

...Petitioners

-VS-

State By:
The Inspector of Police,
CBCID Erode Unit,
Erode,
Crime No.16/2007

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 430(1) of Cr.P.C., praying to suspend the sentence imposed by the I Additional District and Sessions Judge, Erode in C.A.No.8/2013 dated 15.09.2025 and confirming the order of I Additional Subordinate Judge, Erode in S.C.No.146/2008 dated 04.02.2013 and released the petitioners on bail pending disposal of the above Criminal Revision Petition.

For Petitioners : Mr.I.M.Siddartha Ramarajan

For Respondent : Mr.R.Vinothraja,
Government Advocate (Crl. Side)



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ORDER

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The petitioners have preferred the above revision challenging the judgment passed by the I Additional District and Sessions Judge, Erode, in Crl.A.No.8 of 2013 dated 15.09.2025, confirming the judgment of the learned I Additional Subordinate Judge, Erode convicting the petitioners for the offences under Section 120 B r/w 489A-D r/w 109 of IPC and sentencing them to undergo 6 years RI and to pay a fine of Rs.1000 (id) to undergo 3 months RI.

2. Aggrieved by the same, they have filed the Crl.RC.No.2151 of 2025 before this Court along with the instant criminal miscellaneous petition seeking to suspend the sentence imposed on the petitioners.

3.The learned counsel for the petitioners seeks the permission of this Court to withdraw this petitions as regards the first petitioner and he has also made an endorsement to that effect.

4.In view of the above, the criminal miscellaneous petition is dismissed as withdrawn as regards the first petitioner, with liberty to the first petitioner



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to file a fresh petition for suspension of sentence after surrender.

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5. The case of the prosecution is that A4 and A7 were arrested with counterfeit notes ; that on their confession, A1 was arrested and counterfeit notes to the value of Rs.1,47,000/- was seized from A1; that thereafter, on his confession A2 and A3 were arrested and counterfeit notes, besides the xerox machine copier and printers, were also seized from A2 and A3.

6. The learned counsel for the petitioners would submit that the seizure of the counterfeit notes has not been proved beyond reasonable doubt; that the independent witnesses, who were examined by the prosecution did not support the prosecution case; that this Court has to examine whether the seizure has been proved on the basis of the evidence of the investigation officer and since the second petitioner has raised substantial grounds and is in custody from 12.01.2026, prayed for suspension of sentence.

7. Heard the learned Public Prosecutor who would submit that even assuming that the independent witnesses did not support the prosecution case, the evidence of the police officials cannot be viewed with suspicion and there



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is no reason to disbelieve their testimony and submitted that in view of the concurrent findings of fact, the second petitioner has not made out any case for interference.

8.It is seen from the records that the independent witnesses did not support the case of the prosecution as regards the seizure. It is also seen that the expert had stated in the cross-examination that the counterfeit notices cannot be printed with a photo copier and from the printer, which was seized from the petitioner.

9.Considering the fact that the second petitioner has raised substantial grounds in the above revision which require consideration, and since the revision is not likely to be taken up in the near future and the second petitioner is in custody from 12.01.2026, this Court is inclined to grant the relief of suspension of sentence to the second petitioner.

10. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the second petitioner is suspended till the disposal of the above criminal revision case and the second petitioner is ordered to be released on bail on the following conditions:



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- (i)The second petitioner shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand), with two sureties, each for a like sum to the satisfaction of the learned I Additional Subordinate Judge, Erode ;
- (ii)The second petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
- (iii)The second petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. 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.

19.02.2026
(3/3)

Tsg

To

- 1.The I Additional Subordinate Judge Erode
- 2.The I Additional District and Sessions Judge,
Erode.



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SUNDER MOHAN, J.

Tsg

- 3.The Inspector of Police,
CBCID Erode Unit,
Erode,
Crime No.16/2007
- 4.The Superintendent,
Central Prison, Coimbatore.
- 5.The Public Prosecutor,
High Court, Madras.

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