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Crl.M.P. No. 24752 of 2025
in
Crl.R.C. No. 2869 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.02.2026

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

Crl.M.P. No. 24752 of 2025

in

Crl.R.C.No. 2869 of 2025

Seenu @ G. Srinivasan

..Petitioner

Vs.

State by Inspector of Police,
CBCID, Erode Unit,
Erode District, Tamil Nadu,
(Crime No. 3 of 2004)

..Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 438(1) of BNSS to direct that the execution of sentence imposed by judgment dated 04.02.2013 in S.C. No. 146 of 2008 by the learned I Additional Subordinate Judge, Erode and confirmed by judgment dated 15.09.2025 in Crl.A. No. 8 of 2013 by the I Additional District and Sessions Court, Erode, be suspended and enlarge the petitioner on bail, pending disposal of the above criminal



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revision.

For Petitioner :: Mr. Avinash Krishnan Ravi
For Respondent :: Mr.R. Vinothraja,
Govt. Advocate (Crl.Side)

O R D E R

The petitioner/A1 has preferred the above revision challenging the judgment dated 15.09.2025 passed in Crl.A.No.8 of 2013 by the I Additional District and Sessions Court, Erode, confirming the judgment of the learned I Additional Subordinate Judge, Erode convicting and sentencing the petitioner for the following offences:

Sl. No.	Conviction under Section	Period of Sentence	Fine Imposed	Default Sentence
1.	120-B r/w 489 A-D r/w 109 IPC	6 years RI	Rs.1000/-	3 months RI
2.	489-D IPC	5 years RI	Rs.1000/-	3 months RI
3.	489-C IPC	5 years RI		
4.	489-D r/w 109 (2 counts) IPC	6years RI	Rs.1000/-	3 months RI
5.	489-A IPC	6 years RI	Rs.1000/-	3 months RI

2. The instant criminal miscellaneous petition is filed seeking to suspend the sentence imposed on the petitioner.



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

4. The learned counsel for the petitioner 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 petitioner has raised substantial grounds and is in custody from 23.02.2026, prayed for suspension of sentence.



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5. Heard the learned Government Advocate (Crl.Side), 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 is no reason to disbelieve their testimony and submitted that in view of the concurrent finding of fact, the petitioner has not made out any case for interference.

6.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 notes cannot be printed with a photo copier and from the printer, which was seized during the course of investigation from the second accused.

7. The sentence imposed on A-3, who is similarly placed, has been suspended by this Court by order dated 19.02.2026 in Crl.M.P.No.19915 of 2026. The petitioner has raised substantial grounds stating that the seizure cannot be believed and requires consideration. The revision is not likely to be taken up in the near future. The petitioner is in custody from 23.02.2026.



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Considering all the above facts, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

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

- (i) The 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 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 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



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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.

27.02.2026
(2/2)

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To

1.The I Additional Subordinate Judge Erode

2.The I Additional District and Sessions Court,
Erode.

3.The Inspector of Police,
CBCID Erode Unit,
Erode,

4.The Superintendent,
Central Prison, Coimbatore.

5.The Public Prosecutor,
High Court, Madras.

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