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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-11-2026

CORAM

THE HON'BLE MR.JUSTICE SUNDER MOHAN

CRL MP No. 22764 of 2026
in CRL A No. 1462 of 2026

Elumalai

..Petitioner(s)

Vs

The State rep. by,
The Inspector of Police,
Gingee Police Station,
Villupuram.
(Crime No.633/2019).

..Respondent(s)

Prayer : Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, to suspend the sentence and enlarge the Petitioner on bail in respect of the Judgment passed in SC.No.431 of 2021 dated 30.10.2026 on the file of the learned Sessions Judge, Fast Track Mahila Court, Villupuram pending disposal of the main Criminal Appeal.

For Petitioner(s): Mr.D.Rajagopal

For Respondent(s): MR. R. Thirumoorthy,
Additional Public Prosecutor
Asst by Mr.M.Arul Raj

ORDER

The Criminal Appeal challenges the Judgment passed in SC.No.431 of 2021 by the learned Sessions Judge, Fast Track Mahila Court, Villupuram, holding the petitioner guilty of the offences under Sections 294(b) and 354 of

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IPC and sentencing him to pay a sum of Rs.1,000/- and in default, to undergo one month simple imprisonment for the offence under Section 294(b) IPC and to undergo one year RI and to pay fine of Rs.5,000/- and in default, to undergo three months simple imprisonment for the offence under Section 354 IPC.

2. The learned counsel for the petitioner would submit that a fixed sentence of imprisonment has been imposed on the petitioner; that the petitioner has raised substantial grounds in the appeal; and that the sentence imposed on the petitioner may be suspended pending disposal of the appeal.

3. Heard the learned Additional Public Prosecutor and perused the materials available on record.

4. The sentence has been suspended by the trial Court till 28.11.2026. Considering the fact that the petitioner/appellant has raised substantial grounds in the appeal and the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

5. Accordingly, this criminal miscellaneous petition stands allowed, and the sentence imposed on the petitioner is suspended till the disposal of the above criminal appeal, on the following conditions:

> (a).The petitioner shall 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 the learned Judicial Magistrate, Ginjee;

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(b).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;

(c).The petitioner shall appear before the respondent police once in fifteen days and before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal 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.

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

TSG

To

1,The Inspector of Police,
Gingee Police Station,
Villupuram.
(Crime No.633/2019).

2.The Sessions Judge,
Fast Track Mahila Court,
Villupuram.

3.The Judicial Magistrate,
Ginjee.

4.The Public Prosecutor,
Madras High Court.

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SUNDER MOHAN, J.

TSG

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