



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08-07-2026

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THE HON'BLE MR.JUSTICE D.BHARATHA CHAKRAVARTHY

CRL OP No. 2745 of 2026

Surya Prasanth @ Surya @ Auto Surya
S/o. Krishnamoorthy,
Having address at
D.No.55, Mathkoil Street,
Muthusamy Colony, Selvapuram,
Coimbatore.

..Petitioner(s)

Vs

The Stat Represented by
The Inspector of Police,
C2 Race Course Police Station,
Crime No.312/2021

..Respondent(s)

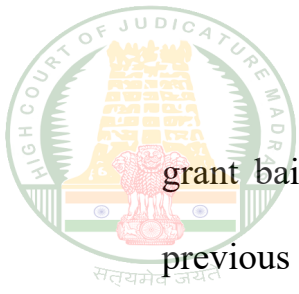
Prayer: This petition is filed under Section 528 of BNSS to pass an order to set aside the order in M.P.No.1/2026 dated 21.01.2026 made in C.A.No.42/2026 on the file of the Learned principal District and Sessions Judge, Coimbatore and passes further suitable orders and thus render justice.

For Petitioner(s): M/S.S.Bharanidharan
P.Vetrivel

For Respondent(s): Mr.M.Mohamed Riyaz,
Government Advocate

ORDER

This Criminal Original petition is filed challenging the order dated 21.01.2026 in M.P.No.1 of 2025 on 21.01.2026 made in C.A.No.42 of 2026. By the said order the application moved by the petitioner to suspend the sentence to

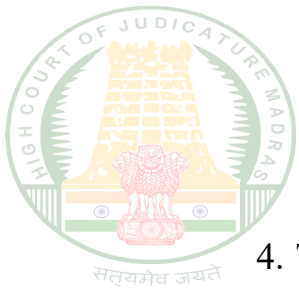


grant bail was dismissed, but considering the fact that the petitioner has got previous cases the Trial Court has dismissed the petition.

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2. I have heard the learned counsel for the petitioner and the learned Government Advocate appearing for the respondent.

3. Upon perusal of the material records it can be seen that on the date of occurrence i.e on 27.05.2021 when the petitioner had picked up a passenger from the railway station there seems to be a wordy quarrel that has arisen among the auto drivers. When the petitioner was asked as how he has picked up a particular passenger, when it is meant to be as per term fixed by them, the petitioner is said to have picked up a knife and attacked one of the victim who is examined as P.W.4. The petitioner is said to have been in prison for a total period of 90 days pending the trial. Now he has surrendered and he is now under incarceration from 20.06.2026, he is now in prison for a total number of 108 days. As far as the previous cases are concerned it can be seen that it is not 7 it is totally 15 previous cases against the petitioner of which Crime No. 252 of 2024, Crime No.1928 of 2020, Crime No.1439 of 2020, Crime No.996 of 2019, Crime No.353 of 2019, Crime No. 1 of 2019 , Crime No.260 of 2016 are all for the offences u/s 75(1)(c) of TN City Police Act .



4. The learned counsel for the petitioner would submit that the petitioner on behalf of the auto driver association participates in the protests, due to which these cases have been registered. Further it can be seen that there is yet another case under Section 110 of Cr.P.C. Essentially there are other cases which are also in the nature of threat or under the Tamil Nadu Public Properties Prevention of Destruction Act etc.,

5. Thus considering the nature of cases pending against the petitioner and the stage of the case and the fact that the petitioner was under incarceration for a period of 108 days and considering the fact it may take some time for a Lower Appellate Court to prepare the records of the case and finally dispose of the appeal, I am of the view this is a fit case for suspending the sentence of the petitioner pending disposal of the appeal. Accordingly this Criminal Original petition stands allowed. The order dated 21.01.2026 in M.P.No.1 of 2026 dated made in C.A.No.42 of 2026 on the file of the Learned principal District and Sessions Judge, Coimbatore is set aside. The sentence imposed on the petitioner by the judgment dated 12.12.2025 in S.C. No.59 of 2022 by the learned first Additional Sessions Judge shall be suspended and the petitioner be enlarged on bail on the following conditions.



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a. The petitioner shall execute a bond for a sum of Rs.25,000/- (twenty five thousand) with two sureties for a like sum to the satisfaction of the III Additional District and Sessions Judge, Coimbatore.

b. the petitioner shall sign before the trial Court on the first working day of every month and also attend the hearings of the appeal without fail and co-operate for the early disposal of the appeal.

08-07-2026

Neutral Citation: Yes/No
SMN
To.

- 1.The Learned principal District and Sessions Judge, Coimbatore
- 2.The Inspector of Police,
C2 Race Course Police Station,
3. The III Additional District and Sessions Judge, Coimbatore.
4. The Central Prison, Coimbatore



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D.BHARATHA CHAKRAVARTHY, J.

SMN

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