



WEB COPY

CRL MP No. 8456 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 07-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

CRL MP No. 8456 of 2026

IN

CRL A NO. 625 OF 2026

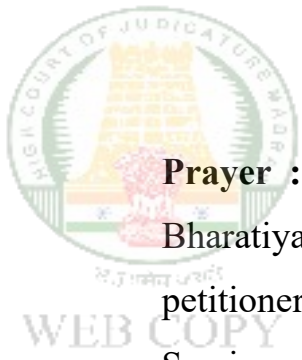
1. Sivakumar
S/o.Vadivel,
No.167/1, Main Road,
Karuthuvampadi Village,
Tiruvannamalai Taluk and District.
2. Gokula Krishnan
S/o.Vadivel,
No.167/1, Main Road,
Karuthuvampadi Village,
Tiruvannamalai Taluk and District.
3. Panneerselvam
S/o.Vadivel,
No.167/1, Main Road,
Karuthuvampadi Village,
Tiruvannamalai Taluk and District.

... Petitioners /
Appellants / A1 to A3

Vs

1. State rep. by, The Deputy Superintendent of
Police,
Tiruvannamalai Division,
Tiruvannamalai Taluk Police Station,
Crime No.810/2019.
2. Munusamy
S/o.Krishnamoorthy,
No.66, Ambethkar 1st Street,
Karunthuvampdi Colony,
Kolakka Ravadi Post,
Tiruvannamalai Taluk and District.

..Respondent(s)



Prayer : Criminal Miscellaneous Petition is filed under Section 430 (ii) of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence and enlarge the petitioners on bail in respect of the Judgment passed by the Learned Special Sessions Judge for SC/ST Prevention of Atrocities Act Tiruvannamalai in Special SC.No.6/2020 dated 09.04.2026 pending disposal of the main Criminal Appeal and thus render justice.

For Petitioner(s): M/s.T.Shanmugam
P.K.HarinathBabu
K.G.Sripathi
S.Sivasakthi

For Respondent(s): Mr.A.Damodaran
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed by the Learned Special Sessions Judge for SC/ST Prevention of Atrocities Act Tiruvannamalai in Special SC.No.6/2020, vide judgment dated 09.04.2026.

2. The conviction and sentence imposed against the petitioners/appellants, vide impugned judgment is as follows:-

<i>S.No.</i>	<i>Name of the petitioner / Accused</i>	<i>Under Section</i>	<i>Sentence</i>
1.	A1-Sivakumar	323 IPC ans Sec.3(2) (va) of SC/ST (POA) Act 1989	Sentenced to undergo 6 months simply imprisonment fine of Rs.1000/- and in



			defalut to pay fine he shall undergo 1 month simple imprisonment
2.	A2-Gokulakrishnan	323 (2 counts) IPC and Sec. 3(2) (va) of SC/ST (POA) Act 1989	Sentenced to undergo 6 months simple imprisonment for each count. Fine of Rs.2000/- and in default 1 month simple imprisonment
3.	A3-Panneer Selvam	325 IPC and Sec 3(2) (va) of SC/ST (POA) Act 1989	Sentenced to undergo 1 year simple imprisonment. Fine of Rs.10,000/- and in default 2 months simple imprisonment.

3. The case of the prosecution is that there was previous enmity between the defacto complainant and the accused regarding panchyath elections. Due to the aforesaid enmity on 25.11.2019, when the defacto complainant was siting at his house along with his family members, the accused 1 to 3 / petitioners, armed with knife and Iron rod, came there, abused the defacto complainant in filthy language by calling his community name, and attempted to assault him with the knife. During the assault, the defacto complaint sustained injuries and hence, a case was registered under the SC / ST cases in Special sessions Case No.6 of 2020, vide judgement dated 09.04.2026, passed by the Learned Special Sessions Judge for SC/ST Prevention of Atrocities Act Tiruvannamalai, the petitioners/ accused were convicted as stated above. Aggrieved by the said conviction and sentence,



Petitioners/Accused have preferred the present Criminal Appeal along with this Criminal Miscellaneous Petition. Hence the case.

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4. The learned counsel for Petitioners/Accused submitted that there are arguable points available in the Criminal Appeal which is not likely to be taken up for final hearing in the near future. He further submitted that Petitioners/Accused has a fair chance of succeeding in the Criminal Appeal Case and Petitioners/Accused are ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that the substantive sentence imposed on Petitioners/Accused may be suspended.

5. Mr.A.Damodaran, learned Additional Public Prosecutor who takes notice on behalf of the Respondent Police submitted that he has objection for suspending the sentence of imprisonment imposed on the Petitioners/Accused.

6. Considering the facts and circumstances of the case and having regard to the submissions made by the learned counsel on either side and also, taking into consideration of the fact that the Criminal Appeal is not likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.



7. Accordingly, till the disposal of present Criminal Appeal, the relief of suspension of sentence is granted to the Petitioners/Accused, subject to the following conditions:

(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** each with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge (Special Court for SC/ST Prevention of Atrocities Act) Tiruvannamalai.

(ii) 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 to ensure their identity; and

(iii) The petitioner shall appear before the learned Sessions Judge (Special Court for SC/ST Prevention of Atrocities Act) Tiruvannamalai, on all working days at 10.30 a.m., until further orders.

8. This Criminal Miscellaneous Petition is ordered on the above conditions.

07-05-2026

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

av/mrr



1. The Learned Special Sessions Judge for SC/ST Prevention of Atrocities Act

Tiruvannamalai

2. The Deputy Superintendent of Police,

Tiruvannamalai, Division,

Tiruvannamalai Taluk Police Station.

3. The Public Prosecutor,
High Court, Madras.



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L.VICTORIA GOWRI, J.

av/mrr

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