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Crl.MP.No.1072 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.07.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.1072 of 2025

in

Crl.A.No.104 of 2025

T.Soundarajan

...Petitioner

Vs.

The State Represented by,  
The Inspector of Police,  
E-1 Singanallur Police Station,  
Coimbatore District  
(crime No.830 of 2021)

... Respondent

**PRAYER:** Criminal Miscellaneous Petition filed under Section 430(1) of BNSS, praying to suspend the sentence imposed by the order passed against the petitioner in Sessions Case No.187 of 2022 dated 10.08.2023 on the file of the III Additional Assistant Sessions Judge, Coimbatore and to enlarge the petitioner on bail, pending disposal of the above criminal appeal petition on the file of this Court.

For Petitioner : Mr.S.Pandiyan

For Respondent : Mr.S.Raja Kumar,  
Additional Public Prosecutor



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### **ORDER**

This Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed by the order passed against the petitioner in Sessions Case No.187 of 2022 dated 10.08.2023 on the file of the III Additional Assistant Sessions Judge, Coimbatore and to enlarge the petitioner on bail, pending disposal of the above criminal appeal petition on the file of this Court.

2. The petitioner herein is the accused in Sessions Case No.187 of 2022 on the file of the III Additional Assistant Sessions Judge, Coimbatore. He was found guilty of the offence under Section 394 r/w 397 of IPC and he has been convicted and sentenced as under:

| Rank         | Conviction                 | Sentence                                                                                                                                       |
|--------------|----------------------------|------------------------------------------------------------------------------------------------------------------------------------------------|
| Sole accused | Section 394 r/w 397 of IPC | to undergo rigorous imprisonment for a period of 7 years and to pay fine of Rs.1,000/-, in default to undergo six months rigorous imprisonment |

Aggrieved by the same, the petitioner has preferred criminal appeal along with this miscellaneous petition.



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3. The learned counsel for the petitioner/accused would submit

that there are arguable points available in the Criminal appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. On perusal of records, this Court finds no reasons to suspend



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the sentence imposed on the petitioner. Further, the Trial Court has gone through the evidence in its entirety and convicted the petitioner. Therefore, this Court is not inclined to suspend the sentence of imprisonment imposed on the petitioner.

7. Accordingly, this petition is dismissed.

16.07.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
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To  
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- 1.The III Additional Assistant Sessions Judge, Coimbatore
- 2.The Inspector of Police,  
E-1 Singanallur Police Station,  
Coimbatore District
- 3.The Public Prosecutor,  
High Court of Madras,  
Chennai.



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**G.K.ILANTHIRAIYAN, J.**

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