



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**CRL MP No. 2550 of 2025 in
Crl.A.No.292 of 2024**

1. SINGARAM

S/o. Govindasamy,

2.Suresh Kumar

S/o. Singaram

3. MANIKANDAN

S/o. Singaram.

Petitioner(s)

Vs

The State of Tamil Nadu

Represented by the Inspector of Police

Vellore Taluk Police Station,

Vellore District.

Crime No.208 of 2019.

Respondent(s)

PRAYER: Petition filed under Section 389 (1) of Cr.P.C. to suspend the sentence imposed on the petitioner to suspend the sentence imposed in SC.No.80 of 2020 by judgement dated 16.02.2024 passed by the Learned Additional District and Sessions Judge (FTC), Vellore against the petitioners



and enlarge the petitioners on bail till pending disposal of Criminal Appeal No.292 of 2024

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For Petitioner(s): Mr.C.R.Malarvannan
for Mr.V.Rajamohan

For Respondent(s): Mr.A.Damodaran
Addl. Public Prosecutor
Assisted by M.Arifa
Thasneem, Advocate

ORDER

(Order of the Court was made by N.Sathish Kumar J.)

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence and conviction made in the judgment dated 16.02.2024, in S.C.No.80 of 2020, on the file of the learned Additional District and Sessions Judge (FTC), Vellore, pending disposal of the Criminal Appeal before this Court and enlarge the petitioners on bail.

2. Learned Additional District and Sessions Judge (FTC), Vellore, in S.C.No.80 of 2020, had convicted and sentenced the petitioners as follows:

A1 was convicted and sentenced to undergo life imprisonment with a fine of Rs.2,000/-, in default to pay the fine amount, to undergo Rigorous Imprisonment for another period of one year under Section 302 IPC and



imposed with a fine of Rs.500/-, in default to pay the fine amount, to undergo one month of simple imprisonment for the offence under Section 294 (b) IPC.

A2 & A3 were convicted and sentenced to undergo life imprisonment with a fine of each Rs.2,000/-, in default to pay the fine amount, to undergo Rigorous Imprisonment for another period of one year.

3. Challenging the above conviction and sentence, the petitioners have filed the present Criminal Appeal and they seek suspension of sentence and bail in the present Miscellaneous Petition.

4. The learned counsel appearing for the petitioners would submit that the evidence of the eyewitnesses relied on by the prosecution is highly unreliable and there are inconsistency in the statements of the prosecution witnesses, however, the trial Court, believing the evidence of the so-called eyewitnesses, has convicted the petitioners. He would further submit that the petitioners are in custody. Stating so, he prayed for the grant of suspension of sentence and bail to the petitioners.



5. The learned Additional Public Prosecutor appearing for the respondent/police has filed a counter affidavit and opposed for the grant of suspension of sentence and bail to the petitioners.

6. On considering the rival submissions and perusing the entire materials available on record, we are of the view that the petitioners have made out a *prima facie* case for suspending the sentence.

7. The petitioners have raised substantial grounds in the appeal which require detailed appraisal. Moreover, the petitioners are in incarceration. Further, the appeal is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the petitioners are entitled to the relief of suspension of sentence and bail.

8. Accordingly, this Criminal Miscellaneous Petition stands **allowed** and the sentence imposed on the petitioners are suspended on the following conditions:-



(i) The petitioners shall execute separate bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate – I, Vellore;

(ii) The petitioners 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;

(iii) The petitioners shall appear before the trial Court on every Monday at 10.30 a.m., until the disposal of the Criminal 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 of 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.

(iv) On the failure of any of the above conditions by the petitioners / accused, it is open to the trial Court to commit the petitioners / accused into custody for undergoing the sentence.

(N.S.K.,J.) (M.J.R.,J.)

20-11-2025

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To
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1. The Additional District and Sessions
Judge (FTC), Vellore.

2. The Judicial Magistrate – I,
Vellore.

3. The Superintendent,
Central Prison, Vellore.

4. The Inspector of Police,
Vellore Taluk Police Station,
Vellore District.

5. The Public Prosecutor,
High Court, Madras.



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7/7

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N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

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