



*Crl.M.P.No.7955 of 2025
in Crl.A.No.382 of 2025*

WEB COPY IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12.06.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.7955 of 2025

in

Crl.A.No.382 of 2025

Manivel

... Petitioner

Vs

The State Rep. by
The Inspector of Police (L & O),
D-2, Annasalai Police Station,
Chennai-02
Crime No.214 of 2022

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 430 (1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the imprisonment imposed in the judgment dated 19.02.2024 in Special Sessions Case No.422 of 2022 enlarge the petitioner on bail on the file of the Sessions Judge, Mahalir Neethimandram, Allikulam, Chennai, pending disposal of the criminal appeal.

For Petitioner : Mr.A.Nirmal Kumar
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in the judgment dated 19.02.2024 by the learned Sessions Judge, Mahalir Neethimandram, Allikulam, Chennai, in Special Sessions Case No.422 of 2022 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein is the accused in S.C.No.422 of 2022 on the file of the learned Sessions Judge, Mahalir Neethimandram, Allikulam, Chennai. He was found guilty of the offence under Section 326 of IPC and he has been convicted and sentenced to undergo rigorous imprisonment for a period of five years and imposed fine of Rs.5,000/- in default to undergo a simple imprisonment for a period of three months. Aggrieved by the same, the petitioner had filed the present appeal along with the present petition.

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



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

5. It is seen that the occurrence was taken place on 02.09.2022. The petitioner was arrested and remanded to judicial custody on 07.09.2022. From the date of his arrest, the petitioner is inside the prison. Considering the above facts and circumstance and also considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that this Criminal Appeal is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on his executing a bond **for a sum of Rs.25,000/- (Rupees**



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WEB COPY Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Sessions Judge, Mahalir Neethimandram, Allikulam, Chennai.

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Trial Court daily at 10.30 am., for a period of thirty days and thereafter on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they 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.

6. With the above directions, this Criminal Miscellaneous Petition is ordered.

12.06.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
rts



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To

1. The Sessions Judge,
Mahalir Neethimandram,
Allikulam, Chennai.
2. The Inspector of Police (L & O),
D-2, Annasalai Police Station,
Chennai-02.
3. The Central Prison-I,
Puzhal.
4. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

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