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CRL MP No. 6312 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 01-04-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL MP No. 6312 of 2025

IN

CRL A NO. 325 OF 2025

C.Navaneethan

S/o Chandrakasu, 47/3, Thiruvalluvar

Nagar, Sirkali.

Petitioner

Vs

The State Rep By

The Inspector Of Police

DCB/Anit Land Grabbing Special Cell,

Nagapattinam

Crime No 8/2014.

Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389 of Cr.P.C. to suspend the sentence imposed on the appellant by the District and Sessions Judge, Mayiladuthurai in S.C.No.36 of 2016 order dated 03.03.2025 and enlarge the petitioner on bail pending disposal of the above appeal.

For Petitioner : Mr.R.Shivakumar
for M/s.K.M.Vijayan Associates
For Respondent : Mrs.G.V.Kasthuri
Additional Public Prosecutor

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner/appellant to suspend the sentence imposed on him by the District and Sessions Judge, Mayiladuthurai in S.C.No.36 of 2016 by judgment dated 03.03.2025 and enlarge the petitioner/appellant on bail pending disposal of the appeal in Crl.A.No.325 of 2025.

2. The case of the petitioner is that the petitioner is an accused in S.C.No.36 of 2016 on the file of the District and Sessions Judge, Mayiladuthurai for the offence under Section 447, 506(ii) of IPC and 3(1) of TNPPDL Act. The learned Judge, on conclusion of trial, though acquitted the petitioner from the charges under Section 506(ii) of IPC and 3(1) of TNPPDL Act, found the petitioner guilty for the offence under Section 447 of IPC and thereby, convicted the petitioner for the offence under Section 447 IPC and sentenced to undergo simple imprisonment for 3 months and to pay fine of Rs.500/- and in default of payment of fine amount, to undergo further simple imprisonment for one week.

3. Challenging the said Judgment of conviction and sentence, the



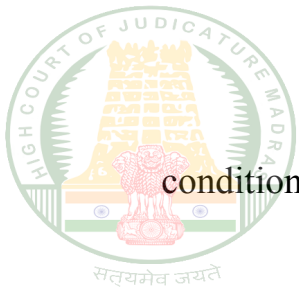
petitioner has preferred the appeal before this Court in Crl.A.No.325 of 2025

and pending appeal, he has filed the present petition seeking to suspend the sentence imposed by the trial Court and to enlarge the petitioner on bail pending disposal of the appeal.

4. The learned counsel for the petitioner/appellant submitted that though the learned Judge acquitted the petitioner from the charges under Section 506(ii) of IPC and 3(1) of TNPPDL Act, erroneously convicted him for the offence under Section 447 of IPC. He further submitted that there are arguable points in the main criminal appeal and the petitioner has got a good case for acquittal. Hence, he prays for suspension of sentence.

5. The learned Additional Public Prosecutor appearing for the respondent police submitted that the trial Court after considering the evidences in a proper prospective, rightly convicted the petitioner/appellant.

6. Taking into consideration the submissions made by the learned counsel on either side, the substantive sentence of imprisonment alone, imposed by the trial Court is suspended till the disposal of the appeal and the petitioner/appellant is ordered to be enlarged on bail subject to the following



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conditions:

(i) The petitioner/appellant shall execute a bond for Rs.10,000/- [Rupees Ten Thousand only] with two sureties each for a like sum to the satisfaction of the District and Sessions Judge, Mayiladuthurai

(ii) The petitioner/appellant shall report before the trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

01-04-2025

(1/2)

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The District and Sessions Judge,
Mayiladuthurai

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2. The Inspector Of Police
DCB/Anti Land Grabbing Special Cell,
Nagapattinam

3. The Public Prosecutor
High Court of Madras, Chennai



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P.VELMURUGAN,J.

Ksa-2

**CRL MP No. 6312 of 2025 IN
CRL A No. 325 of 2025**

**01-04-2025
(1/2)**