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CRL.M.P.No.6720 of 2025

THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 21.05.2025

CORAM:

THE HONOURABLE MR.JUSTICE G.R.SWAMINATHAN
AND
THE HONOURABLE MR.JUSTICE V.LAKSHMINARAYANAN

CRL.M.P.No.6720 of 2025

in

CRL.A.No.340 of 2025

1.Tamilarasan

2.Ramalingam

...Petitioners

Vs.

State Rep. by:
Station House Officer,
Vadalur Police Station,
Cuddalore District.
Crime No.49/2019

... Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C praying to enlarge the petitioner on bail by suspending the sentence imposed in S.C.No.315 of 2019 dated 07.03.2025 on the file of the I Additional District and Sessions Court, Cuddalore pending disposal of Criminal Appeal.

For Petitioners : Mr.T.Muruganantham

For Respondent : Mr.E.Raj Thilak
Additional Public Prosecutor



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ORDER

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Heard both sides.

2. The petitioners are figuring as accused Nos.3 and 4 in S.C.No.315 of 2019 on the file of the I Additional District and Sessions Court, Cuddalore. They were convicted by the learned Sessions Judge for the offence under Section 302 IPC r/w. Section 201 IPC and sentenced to undergo three years rigorous imprisonment and fined Rs.5,000/- (Rupees Five Thousand only) in default of payment of fine, simple imprisonment for Three months.

3. One Ayyapillai @ Poorasamy was done to death. As far as the petitioners are concerned, there is no allegation of any overt act against the deceased.

4. We are clearly of the view that the petitioners' case is not having parity with that of the principal accused(A1). Besides this, there are other arguable points in favour of the petitioners herein. Since the main appeal



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may not be taken up for disposal immediate in the near future, we are inclined to suspend the sentence imposed on the petitioners herein.

5. Accordingly, this Criminal Miscellaneous Petition is ordered and the imprisonment ordered by the trial Court through the impugned judgment dated 07.03.2025 is suspended subject to the following conditions:-

i. The petitioners/ accused Nos.3 and 4 are directed to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees twenty five thousand only) each, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the learned Judicial Magistrate, Kurinjipadi.

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.

iii. The petitioners shall report before the learned I Additional District & Sessions Judge, Cuddalore, in the first working day of every English calendar month at 10.30



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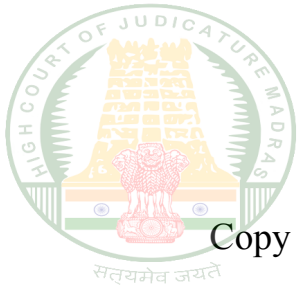


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a.m., until further orders and if they are not able to appear before the Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Court on any other day in lieu of the date of their absence, as directed by the Court.

(G.R.S.,J.) & (V.L.N.,J.)
21.05.2025

dsa/jv



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1. The I Additional District & Sessions Judge,
Cuddalore.
2. The Judicial Magistrate,
Kurinjipadi.
3. Station House Officer,
Vadalur Police Station,
Cuddalore District.



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