



WEB COPY

CRL MP No. 8869 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-10-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

CRL MP No. 8869 of 2025

in CrI.A.No.414 of 2025

1. Aravindan

S/o.Gunasekaran, 1 MGP Maruthi
Town House, Edayarpalayam Road,
Pappampatti Post, Sulru Taluk,
Coimbatore District.

Petitioner(s)

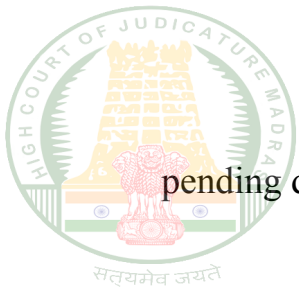
Vs

1. The State Rep by, The Inspector of
Police,
E-1, Singanallur Police Station,
Coimbatore. Cr.No.1501/2018.

Respondent(s)

PRAYER

To suspend the sentence passed against the petitioner by the Honble I Additional
District and Sessions Judge, Coimbatore in SC No.254/2023 dated 27.03.2025



pending disposal of Criminal Appeal and enlarge the petitioner on bail.

WEB COPY

For Petitioner(s): M.Jaikumar

For Respondent(s): Mr.A.Gokulakrishnan,
Addl.Public Prosecutor

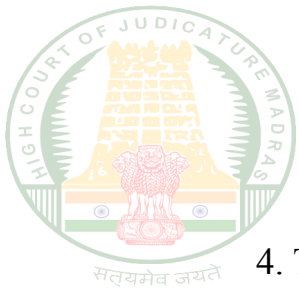
ORDER

J.Nisha Banu J.
and
S.Sounthar,J.

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence of imprisonment imposed on the petitioner by the learned I Additional District and Sessions Judge, Coimbatore in S.C.No.254 of 2023 dated 27.03.2025, pending disposal of the Criminal Appeal and enlarge him on bail.

2. The learned I Additional District and Sessions Judge, Coimbatore, vide judgment dated 27.03.2025 in S.C.No.254 of 2023, has convicted the petitioner and sentenced him and to pay a fine of Rs.5,000/- and in default to undergo six months simple imprisonment .

3. Challenging the above conviction and sentence, the petitioner has filed the above Criminal Appeal and he seeks suspension of sentence and bail in the present Miscellaneous Petition.



WEB COPY

4. The learned counsel for the appellant / petitioner submitted that there is no eye witness and it is a case based on circumstantial evidence and there are lot of material contradictions in the evidence of the prosecution and the prosecution evidence is also highly unbelievable. He further submitted that there are arguable points available in the Criminal Appeal and that the petitioner has a fair chance of succeeding in the same. Therefore, the substantive sentence imposed against the appellant / petitioner may be suspended. He further submitted that the appellant/ petitioner is ready to abide by any condition imposed by this Court.

5. Heard the learned counsel appearing for the appellant / petitioner, the learned Additional Public Prosecutor appearing for the respondents and also perused the materials placed on record.

6. This is a case based on circumstantial evidence. It is a settled principle of law that in a case based on circumstantial evidence, the circumstances projected by the prosecution are to be proved beyond reasonable doubts and such proved circumstances should form a complete chain without any break, pointing unerringly to the guilt of the accused and there should not be any other hypothesis, which is inconsistent with the guilt of the accused.

7. Considering the submissions made by both counsels, coupled with the



quantum of punishment imposed upon the petitioner / appellant, and taking into account the fact that this Criminal Appeal is not likely to be taken up 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.

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

(i) The petitioner shall execute a 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 I Additional District and Sessions Judge, Coimbatore.

(ii) The petitioner 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 petitioner shall appear before the trial Court on the first working day of every month 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.



WEB COPY

CRL MP No. 8869 of 2025



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

(J.NISHA BANU J.) (S.SOUNTHAR J.)

09-10-2025

vsi

Note: Issue order copy today

To

1.The State Rep by, The Inspector of
Police,
E-1, Singanallur Police Station,
Coimbatore. Cr.No.1501/2018.

2. The Superintendent, Central Prison, Coimbatore

3. The Public Prosecutor, High Court, Chennai



WEB COPY

CRL MP No. 8869 of 2025



J.NISHA BANU J.
AND
S.SOUNTHAR J.

vsi

CRL MP No. 8869 of
2025
in Crl.A.No.414 of 2025

09-10-2025