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CRL MP No. 8632 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25-04-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL MP No. 8632 of 2025 IN

CRLA No. 405 OF 2025

Chandra

W/o Late Balaraman,

Residing at No.2/178,

Arasamara Street,

Preyampattu Village, Polur Taluk,

Tiruvannamalai District.

Petitioner

Vs

The State Rep By

The Inspector of Police

Kalasapakkam Police Station,

Crime No. 607/2009.

Respondent(s)

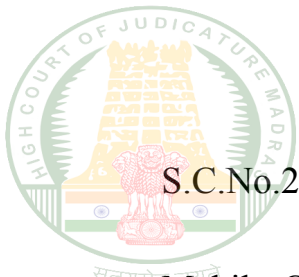
For Petitioner : Adithya Varadarajan

For Respondent : Mr.S.Sugendran

Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner/accused to suspend the substantial sentence imposed upon her in



S.C.No.29 of 2014 by the Sessions Judge, Magalir Neethi Mandram (Fast Track

Mahila Court), Tiruvannamalai dated 28.03.2025 and to enlarge the petitioner

on bail, pending disposal of the appeal in Crl. A.No.405 of 2025.

2. The case of the petitioner is that the petitioner's son had married the deceased on 13.08.2007 and within a period of two years of marriage i.e. on 17.08.2009, the deceased committed suicide by consuming organa phosphorus insecticide. Hence, based on the complaint given by the father of the deceased, the respondent police registered a case against the petitioner and her husband and son in Crime No.607 of 2009 for the offence under Section 498(A), 355, 306 IPC. After completion of investigation, the respondent police filed the charge sheet before the Judicial Magistrate No.I, Tiruvannamalai and since the offence is exclusively triable by the Court of Sessions, the case was committed to Principal District and Sessions Court, Tiruvannamalai and thereafter, the case was made over to the Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruvannamalai in S.C.No.29 of 2014. Against A1/son of the petitioner, charges were framed for the offence under Section 498(A) and 304(B) IPC and Section 4 of Dowry Prohibition Act. Against A2/husband of the



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petitioner, charges were framed for the offence under Sections 498(A), 306 IPC and Section 4 of Tamilnadu Prohibition of Harassment of Women Act. Against the petitioner/A3, charges were framed for the offence under Section 498(A), 355 and 306 IPC, Pending Sessions case, the petitioner's husband/A2 and Son/A1 died. After conclusion of trial, the learned Sessions Judge, found the petitioner/A3 guilty for the offence under Sections 498(A), 355 and 306 IPC and convicted and sentenced to undergo rigorous imprisonment for one year and to pay fine of Rs.500/- in default to undergo simple imprisonment for two months for the offence under Section 498(A) IPC; to undergo rigorous imprisonment for one year for the offence under Section 355 IPC; and to undergo rigorous imprisonment for three years and to pay fine of Rs.500/- in default to undergo simple imprisonment for three months for the offence under Section 306 IPC.

3. Aggrieved by the judgment of conviction and sentence, the appeal in Crl.A.No.405 of 2025 has been filed by the petitioner and pending appeal, the present petition has been filed to suspend the sentence pending disposal of the appeal.



4. The learned counsel for the petitioner submitted that there are arguable points in the appeal and that the petitioner has got a good case for acquittal.

Further, the petitioner is a senior citizen aged 73 years and also a widowed women and suffering from various health ailments. Hence, he prayed to suspend the sentence pending disposal of the criminal appeal.

5. Considering the submissions of the learned counsel for the petitioner, this Court is inclined to grant suspension of sentence. Accordingly, the substantive sentence of imprisonment alone is suspended till the disposal of the appeal on condition that:

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 Sessions Judge, Magalir Neethi Mandram (Fast Track Mahila Court), Tiruvannamalai.

25-04-2025

(1/2)

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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Note: Issue order copy on 29.04.2025.



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To
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1. The Sessions Judge, Magalir Neethi Mandram
(Fast Track Mahila Court), Tiruvannamalai.
2. The Inspector of Police
Kalasapakkam Police Station
3. The Public Prosecutor
High Court of Madras



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P.VELMURUGAN,J.

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CRL A NO. 405 OF 2025**

**25-04-2025
(1/2)**