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CRL MP No. 8016 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 8016 OF 2023

AND

CRL A No. 629 of 2023

M.Karunanidhi
S/o.Manickam,
No.14, Vellalar Street,
Aminjikarai, Chennai 600 029.

..Appellant(s)

Vs

State Rep By
Inspector Of Police,
K3, Aminjikarai Police Station,
Aminjikarai, Chennai 600 029.

..Respondent(s)

To suspend the sentence imposed in S.C.No.122/2011 dated 06.08.2022
by the learned III Additional Sessions Court, Chennai and enlarge the petitioner
on bail.

For Appellant(s):

Mr N.Selvarajan

For Respondent(s):

Mr.V.Meganathan,
Govt. Advocate (Crl. Side)

Order



This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed by the learned III Addl. Sessions Judge, Chennai, in S.C.No.122 of 2011 dated 06.08.2022, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in S.C.No.122 of 2016 on the file of the learned III Addl. Sessions Judge, Chennai. He was found guilty of the offences under Section 341 and 304(ii) of IPC/BNS and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 341 of I.P.C.	to undergo simple imprisonment for one month
2	Section 304(ii) of IPC	to undergo rigorous imprisonment for a period of 10 years and to pay fine of Rs.500/-, in default to undergo simple imprisonment for one month.

Aggrieved by the same, the petitioner had filed this appeal and consequently, he filed the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that he has been falsely implicated in this case as if he attacked the deceased with deadly weapons, thereby he succumbed to death. He would further submit he is in judicial custody from 06.08.2022 for more than three years and three months. He would further submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have got a fair chance of succeeding in the



Criminal Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

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

6. On seeing the facts, it reveals that the alleged occurrence took place in the year 2010 and as on date, he is in judicial custody from 06.08.2022 for more than two years and three months and he is aged about 56 years. Considering that and considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner and the learned Government Advocate (Crl. Side) appearing for the respondent police, further 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.

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7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.10,000/- (Rupees Ten Thousand only)** with two sureties, **in which one surety must be a blood surety**, each for a like sum to the satisfaction of the **learned V Metropolitan Magistrate, Egmore, 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 as and when required, 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 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.



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

28-11-2025

RPP

To

- 1.III Addl. Sessions Judge, Chennai.
- 2.V Metropolitan Magistrate, Egmore, Chennai.
3. The Inspector of Police, K3 Aminjikarai Police Station, Aminjikarai, Chennai.
4. The Superintendent of Prison, Central Prison-1, Puzhal, Chennai.
5. The Public Prosecutor, High Court, Chennai.



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T.V.THAMILSELVI J.

RPP

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