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Crl.M.P.No.10189 of 2025 in Crl.A.No.542 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 03.06.2025

CORAM:

THE HON'BLE MR.JUSTICE G.K.ILANTHIRAIYAN

Crl.M.P.No.10189 of 2025

in

Crl.A.No.542 of 2025

V.Ponvel

...Petitioner

Vs.

The State Rep.by its,
The Inspector of Police,
R7, K.K.Nagar Police Station,
Chennai - 636 003.
Cr.No.933/2020.

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 389 of Cr.P.C/Section 430 of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed in SC.No.66 of 2022 dated 29.07.2024 on the file of the learned XVII Additional District and Sessions Judge, Chennai and enlarge the petitioner on bail, pending disposal of the above Criminal Appeal on the file of this Hon'ble Court.

For Petitioner	: Mr.S.Manoharan
For Respondent	: Mr.S.Raja Kumar
	Additional Public Prosecutor



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed in SC.No.66 of 2022 dated 29.07.2024 on the file of the learned XVII Additional District and Sessions Judge, Chennai.

2. The petitioner herein is arrayed as A1 in SC.No.66 of 2022 on the file of the learned XVII Additional District and Sessions Judge, Chennai. The petitioner was found guilty and he has been convicted and sentenced as under:-

S.No.	Conviction	Sentence
1.	A1 is found guilty under Section 307 of IPC	To undergo five years rigorous imprisonment and to pay a fine of Rs.5000/- in default, to undergo six weeks simple imprisonment.

Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.

3. The petitioner is arrayed as A1 in SC.No.66 of 2022 alleging that the petitioner, in order to do away the life of the victim, attacked the victim with knife and as such the victim sustained grievous injuries. The victim is none other than the wife of the petitioner.

4. A perusal of the evidence of PW1 revealed that on 03.10.2020, at

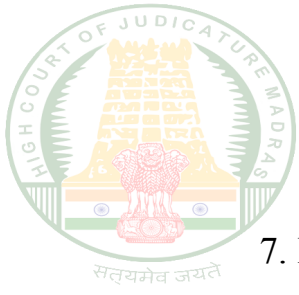


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about 02.30 pm, when the victim was in her office, the petitioner and the second accused entered her office premises and attacked her with a knife on her leg, thereby causing injuries. When she was receiving first aid in the office, once again, both the accused returned to her office and assaulted her on the head with a knife, resulting in grievous injuries and fell unconscious. Further, PW2 who is the employer of the victim, intervened in an attempt to prevent the attack, but was also assaulted by the accused and as such, he also sustained injuries.

5. In view of the above, the offence under Section 307 of IPC is clearly proved and the Trial Court had rightly convicted the petitioner and sentenced him to undergo five years rigorous imprisonment and the petitioner failed to make out a prima facie case for granting suspension of sentence.

6. Accordingly, this Court is not inclined to suspend the sentence imposed in SC.No.66 of 2022 dated 29.07.2024 on the file of the learned XVII Additional District and Sessions Judge, Chennai.



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7. In the result, this Criminal Miscellaneous Petition is dismissed.

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Index : Yes/No

Neutral citation : Yes/No

Speaking/non-speaking order
mn



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To

1. The XVII Additional District and Sessions Judge, Chennai.
2. The Inspector of Police,
R7, K.K.Nagar Police Station,
Chennai - 636 003.
3. The Public Prosecutor,
Madras High Court,
Chennai.



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G.K.ILANTHIRAIYAN, J.

mn

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