



Crl.M.P.No. 10122 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **22.05.2025**

CORAM

THE HON'BLE MR. JUSTICE N.SENTHILKUMAR

CRL.M.P.No.10122 of 2025

in

Crl.A.No.524 of 2025

A.Gunasekaran

... Petitioner

Versus

The State Rep. by
The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 430(1) and 483 of BNSS, to suspend the sentence and grant bail to the petitioner/appellant for the conviction and sentence imposed in S.C.No.70 of 2023 by the Additional District and Sessions Judge, Ariyalur dated 10.01.2025 pending disposal of the above said criminal appeal.

For Petitioner : Mr.K.Gandhi Kumar

For Respondent : Mr.S.Vinoth Kumar
Government Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence of imprisonment dated 10.01.2025 passed in S.C.No.70 of 2023 by the learned Additional District and Sessions Judge, Ariyalur, pending disposal of the



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above Criminal Appeal and enlarge the petitioner on bail.

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2.The petitioner/Accused in S.C.No.70 of 2023 was convicted by the Trial Court by judgement dated 10.01.2025 for the offences under Section 307 of I.P.C to undergo 5 years rigorous imprisonment and also to pay a fine of Rs.10,000/- in default, to under simple imprisonment for 3 months. Aggrieved by the same, the petitioner preferred appeal before this Court along with the instant miscellaneous petitions seeking suspension of sentence and bail.

3.The learned counsel for petitioner submitted that the petitioner has raised substantial grounds in the appeal, which requires consideration and prayed for granting suspension of sentence to the petitioner.

4.Heard the learned Additional Public Prosecutor appearing for the respondent.



5.Considering the fact that there are substantial grounds raised in the above appeal, which requires consideration and since the appeal is not likely to be taken up in the near future, this court is inclined to grant the relief of suspension of sentence to the petitioner.

6. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above Criminal Appeal and the petitioner is ordered to be released on bail on the following conditions:

- (i) The petitioner shall execute his own bond for a sum of Rs.10,000/- to the satisfaction of the learned Judicial Magistrate No.II, Ariyalur;
- (ii)The petitioner shall affix his photograph and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of his Aadhar card or Bank pass Book and mobile numbers to ensure his identity; and
- (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 appeals 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.



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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.

dpa/skr

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Note:

- 1. Registry is directed to forthwith upload this order in the official website of this Court.**
- 2. All concerned to act on this order being uploaded in official website of this court without insisting on certified hard copies. To be noted, this order when uploaded in official website of this court will be watermarked and will also have a QR code.**

To

- 1.The Judicial Magistrate No.II, Ariyalur.
- 2.The Inspector of Police,
Thirumanur Police Station,
Ariyalur District.
- 3.The Superintendent of Prison,
Central Prison, Trichy.
- 4.The Public Prosecutor, Madras High Court.

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N.SENTHILKUMAR, J.

dpa/skr

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