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CRL MP No. 11234 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

CORAM

**THE HONOURABLE MR JUSTICE N. SATHISH KUMAR
AND
THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN**

**CRL MP No. 11234 of 2025 in
Crl.A.No.638 of 2025**

Naveen

Petitioner(s)/A2

Vs

State rep by its Inspector of Police,
N-2, Kasimedu Police station,
Kasimedu-600013.

Respondent(s)

PRAYER: Petition filed under Section 389 (1) of Cr.P.C. to enlarge the Appellant on bail by suspending the sentence of imprisonment for life passed by the Learned I Additional Session judge, City Civil Court, Chennai in S.C.No.387/2018 dated 06.10.2023 and release the Appellant on bail pending the disposal of the appeal.

For Petitioner(s): Mr.KP.Pramoadh Kumar

For Respondent(s): Mr.A.Damodaran
Addl. Public Prosecutor
Assisted by M.Arifa
Thasneem, Advocate



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ORDER

(Order of the Court was made by N.SATHISH KUMAR.J.,)

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence and conviction made in the judgment dated 06.10.2023, in S.C.No.387 of 2018, on the file of the learned I Additional Session judge, City Civil Court, Chennai, pending disposal of the Criminal Appeal before this Court and enlarge the petitioner on bail.

2. Learned I Additional Session judge, City Civil Court, Chennai, in S.C.No.387 of 2018, had convicted and sentenced the petitioner as follows:

Rank of the Accused	Offence	Imprisonment	Fine
A2	341 IPC	Simple Imprisonment for one month	Rs.500/- in default to undergo Simple Imprisonment for one week.
A2	326 IPC	Rigorous Imprisonment for Life	Rs.3,00,000/- in default to undergo Simple Imprisonment for two years.

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



in the present Miscellaneous Petition.

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4. Learned counsel for the appellant / petitioner submitted that the evidence of Eye Witness is highly doubtful. There is inconsistency in the evidences of PW1 and PW3. All the other accused have been acquitted, whereas, the petitioner herein/A2 found guilty for the offences under Sections 341 & 326 IPC and suffering life imprisonment and he is in custody for more than two years. He further submitted that there are arguable points available in the Criminal Appeal and that the appellant/petitioner has a fair chance of succeeding in the same. Therefore, the substantive sentence imposed against the appellant / petitioner may be suspended. He also submitted that the appellant / petitioner is ready to abide by any condition imposed by this Court.

5. The learned Additional Public Prosecutor appearing on behalf of the respondent filed the counter affidavit and objected granting of suspension of sentence to the petitioner.



6. We have heard the rival submissions and perused the entire materials available on record.

7. Accordingly, considering the submissions made on either side, we find that a *prima facie* case is made out and taking into account the fact that the 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 for a like sum to the satisfaction of the learned I Additional Session judge, City Civil Court, Chennai;

(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



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identity;

(iii) The petitioner shall appear before the trial Court on every Monday 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.

(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.

(N.S.K.,J.)

(M.J.R.,J.)

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

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To

1.The I Additional Session Judge, City
Civil Court, Chennai.

2.The Superintendent,
Puzhal Jail – II, Chennai.

3.The Inspector of Police
N-2, Kasimedu Police station,
Kasimedu-600013.

4.The Public Prosecutor,
High Court, Madras.



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