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Crl.M.P.No.10137 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.10137 of 2025
in Crl.A.No.531 of 2025

1. Susilamma

2. Lavanya

... Petitioners

Versus

The State Rep. by Rep. by the Inspector of Police,

Uddanapalli Police Station,

Krishnagiri District.

Crime No.220 of 2021

... Respondent

Prayer:- Criminal Miscellaneous Petition filed under Section 430 of BNSS, to suspend the sentence imposed by the learned Sessions Judge, Fast Track Mahila Court, Krishnagiri in SC.No.3 of 2023 dated 08.04.2025 and may be pleased to enlarge the petitioners on bail till the disposal of the pending criminal appeal.

For Petitioner : Mr.D.Rameshkumar

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 imposed by the learned Sessions Judge, Fast Track Mahila

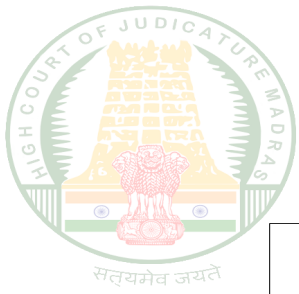


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Court, Krishnagiri in SC.No.3 of 2023 dated 08.04.2025 and may be pleased to enlarge the petitioners on bail till the disposal of the pending criminal appeal.

2. The petitioner, who was accused in S.C.No.3 of 2023 was convicted and sentenced by the **Sessions Judge, Fast Track Mahila Court, Krishnagiri**, as follows:

<i>petitioner's Rank</i>	<i>Provision under which convicted</i>	<i>Sentence</i>
First accused	Section 294(b) of IPC	To pay fine of Rs.500/- in default, to undergo 1 month simple imprisonment.
	Section 342 of IPC	To undergo six months rigorous imprisonment and shall be fined Rs.500/- and in default of payment of fine, to undergo two months simple imprisonment
	Section 324 of IPC	To undergo two years rigorous imprisonment and to pay a fine of Rs.1,000/- and in default of payment of fine, to undergo three months simple imprisonment.
Second accused	Section 324 of IPC r/w Section 109 of IPC	To undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.1,000/- and in default to undergo simple imprisonment for three months.
It is also ordered that the period during which the first and second accused were already in judicial custody be deducted as per Section 428 of Cr.PC. The Total fine for the first accused is Rs.2,000/- and the second accused is		



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Second accused	Section 324 of IPC r/w Section 109 of IPC	To undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.1,000/- and in default to undergo simple imprisonment for three months.
Rs.1,000/-. Total fine of the case” Rs.3,000/-		

3. Aggrieved over the above conviction and sentence passed by the trial court, the petitioner has preferred the present criminal appeal petition along with the instant miscellaneous petition, seeking suspension of sentence and bail.

4. Heard the learned counsel appearing for the petitioner.

5. The learned counsel for the petitioner submitted that there are arguable points in this appeal and the petitioner has a good and fair chance of success in this appeal. Thus, he prayed for suspension of sentence imposed on the petitioner till the disposal of this Criminal Appeal.

6. The petitioner has raised substantial grounds in the appeal which require detailed appraisal. Further, the appeal is not likely to be taken up in the near future.



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In such view of the matter, this Court is of the view that the petitioner is entitled to the relief of suspension of sentence and bail.

7. Accordingly, this criminal miscellaneous petition stands **allowed** and the relief of suspension of sentence alone is granted on the following conditions:

- (i) The petitioner shall surrender before the Trial Court within two weeks from the date of receipt of a copy of this order and on such surrender, the petitioner shall execute a bond for a sum of Rs.10,000/-(Rupees ten thousand only) along with two sureties, each, for a like sum to the satisfaction of **Judicial Magistrate-II, Hosur.**
- (ii) The petitioner and the sureties shall affix their photograph and Left Thumb Impression in the bond and the Trial Court may obtain a copy of his Aadhar card or Bank pass Book to ensure his identity.
- (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 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.

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Note:



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- 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. Judicial Magistrate-II, Hosur
2. Inspector of Police,
Uddanapalli Police Station,
Krishnagiri District.



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N.SENTHILKUMAR, J.

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