



Crl..MP..No.11529 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 20..06.2025

CORAM:

THE HONOURABLE MR. JUSTICE **G.K.ILANTHIRAIYAN**

Crl.MP.No.11529 of 2025

in

Crl.A.No.665 of 2025

Kumki @ Karthikeyan

... Petitioner

Vs.

State Rep. by
The Deputy Superintendent of Police,
Bagayam Police Station,
Vellore District.
(Crime No.52 of 2023)

... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 15 of the Limitation Act, to suspend the sentence imposed on the petitioner/appellant in Spl. S.C. No.2 of 2023 on the file of the Special Court Exclusive Trial of SC/ST Atrocities Act Cases at Vellore by the Judgment dated 28.02.2025 and enlarge the petitioner/appellant on bail pending disposal of connected criminal appeal.

For Petitioner : Mr. S. Thirugnanam

For Respondents : Mr. S. Rajakumar
Additional Public Prosecutor



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ORDER

WEB COPY This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned in Spl. S.C. No.2 of 2023 on the file of the Special Court Exclusive Trial of SC/ST Atrocities Act Cases at Vellore by the Judgment dated 28.02.2025, and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein is the accused in S in Spl. S.C. No.2 of 2023 on the file of the Special Court Exclusive Trial of SC/ST Atrocities Act Cases at Vellore. He was found guilty of the offence under Section 324 of IPC, and he has been convicted and sentenced to undergo simple imprisonment for a period of three years months and imposed fine amount of Rs.5,0000/-, in default of payment of fine amount, the petitioner shall undergo a simple imprisonment for a period of six months as default sentence. Aggrieved by the same, the petitioner/appellant has filed the above appeal in Crl.A.No.665 of 2025 along with the suspension of sentence petition.



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3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal Appeal. Hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.

4. Heard the learned counsel appearing for the petitioner/appellant and also perused the materials placed on record.

5. Considering the above facts and circumstances and also considering the period of incarceration undergone by the petitioner/appellant, this Court is inclined to grant bail to the petitioner/appellant. Accordingly, the Criminal Miscellaneous Petition stands ordered. The petitioner is ordered to be released on bail on his execution of a bond for a sum of **Rs.10,000/- (Rupees Ten Thousand Only)** with two sureties, each for a like sum to the satisfaction of the learned Special Sessions Judge, under SC/ST Act, Vellore, and on further conditions that:



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[a] the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Magistrate may obtain a copy of their Aadhar card or Bank pass Book to ensure their identity.

[b] the petitioner shall report before the trial Court once in a month i.e., on the first working day of every English Calendar month at 10.30 A.M., until the disposal of the trial proceedings.

[c] the petitioner shall not abscond either during investigation or trial.

[d] the petitioner shall not tamper with evidence or witness either during investigation or trial.

[e] On breach of any of the aforesaid conditions, the learned Magistrate/Trial Court is entitled to take appropriate action against the petitioner in accordance with law as if the conditions have been imposed and the petitioner was released on bail by the learned Magistrate/Trial Court himself as laid down by the Hon'ble Supreme Court in **P.K.Shaji vs. State of Kerala [(2005)AIR SCW 5560]**.



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[f] If the petitioner thereafter abscond, a fresh
FIR can be registered under Section 229A IPC.

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

20.06.2025
(2/2)

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order

klt

To

1. The Special Sessions Court under SC/ST, Act, Vellore.
2. The Deputy Superintendent of Police,
Bagayam Police Station,
Vellore District. (Crime No.52 of 2023)
4. The Superintendent, Central Prison, Vellore.
5. The Public Prosecutor, High Court of Madras, Chennai.



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G.K.ILANTHIRAIYAN, J.

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