



WEB COPY

CRL MP No. 9929 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

CORAM

THE HONOURABLE MRS JUSTICE J. NISHA BANU

AND

THE HONOURABLE MR.JUSTICE S. SOUNTHAR

Crl.M.P.No. 9929 of 2024

in Crl.A.No.1322 of 2023

1. S.Prakash @ Amalapaul (A1)
S/O. Sekar, No.60, Bharathiyar Street,
Mettukulam, Chennai-107.

Petitioner

Vs

1. The Inspector Of Police,
K-10, Koyambedu Police Station,
Chennai. Cr.No.1120 Of 2018

Respondent(s)

PRAYER:-

The Miscellaneous Petition is filed under Section 430 (1) of B.N.S.S. to suspend the sentence of imprisonment imposed on the petitioner in S.C.No.109 of 2019 dated 07.09.2023 by the learned I Additional Sessions Judge, Chennai and enlarge the petitioner on bail pending disposal of Criminal Appeal No.1322 of 2023 on the file of this Court.



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For Petitioner(s): M/s. V.K. Sathiamurthy

For Respondent(s): Mr. A. Damodaran
Additional Public Prosecutor

ORDER

J. NISHA BANU, J.

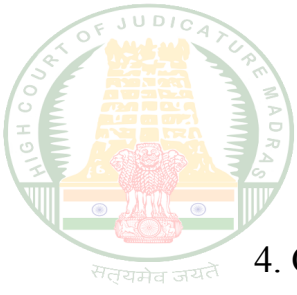
and

S. SOUNTHAR, J.

This Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed on the petitioner by the learned I Additional Sessions Judge, Chennai, in S.C.No.109 of 2019 dated 07.09.2023 and enlarge the petitioner on bail pending disposal of Criminal Appeal No.1322 of 2023.

2. The case of the prosecution is that, on 25.10.2018, due to prior enmity, the petitioner herein/ A1, along with 3 others (A2 to A4), attacked the deceased with a knife indiscriminately, as a result of which, the deceased died. Hence, a case in Crime No.1120 of 2018 was registered against the accused / A1 to A4, for the offences punishable under Sections 294(b), 341 and 307 of I.P.C. and subsequently, altered to Sections 147, 148, 341, 294 (b) and 302 I.P.C.

3. The learned Public Prosecutor submitted that this Court, by order dated 18.01.2024, had already suspended the sentence of imprisonment in respect of A2 to A4 alone and rejected the suspension of sentence in respect of A1. Hence, he opposed the present petition seeking suspension of sentence of imprisonment for the petitioner/A1.



4. Considering the fact that there is specific overt act attributed against A1 and that the earlier petition filed by the petitioner/A1 seeking similar relief had already been dismissed by this Court vide order dated 18.01.2024 in Crl.M.P.No.18466 of 2023 in Crl.A.No.1322 of 2023, and there is no change of circumstances, we are not inclined to entertain the present petition. Accordingly, this Miscellaneous Petition stands dismissed.

(J.NISHA BANU J.) (S.SOUNTHAR J.)

26-09-2025

ASI

To

1.The Inspector Of Police,
K-10, Koyambedu Police Station,
Chennai.

2. The Public Prosecutor,
High Court of Madras, Chennai.



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J.NISHA BANU J.
AND
S.SOUNTHAR J.

ASI

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