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*Crl.M.P.No.11909 of 2025
in Crl.A.No.183 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24.06.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.11909 of 2025

in

Crl.A.No. 183 of 2025

Vinayagam

..... Petitioner

Vs

The State rep by
The Inspector of Police,
Veppamkuppam Police Station,
Vellore

Crime No.186 of 2009

..... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the substantive sentence imposed upon the petitioner by the judgment passed in S.C.No.209 of 2012 dated 31.01.2025 on the file of the Additional District Judge (Fast Track Court), Vellore District and to enlarge the petitioner on bail.

For Petitioner : Mr.V.Karthik
Senior Counsel
for Adithya Varadarajan

For Respondent : Mr.A.Gopinath
Government Advocate (Crl.Side)



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Additional District Judge, Fast Track Court, Vellore dated 31.01.2024 in S.C.No.209 of 2012 and enlarge the petitioner on bail pending disposal of the above criminal appeal.

2. Heard the learned counsel appearing for the petitioner and perused the materials available on record.

3. The petitioner is arrayed as A1 in S.C.No.209 of 2012 on the file of the learned Additional District Judge, Fast Track Court, Vellore. The petitioner was found guilty of the offence under Section 307 of IPC and he has been convicted and sentenced to undergo rigorous imprisonment for a period of ten years and to pay a fine of Rs.50,000/- in default, to undergo simple imprisonment for a period of two years. Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.



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4. Heard both sides and perused the materials available on record.

5. Considering the facts and circumstances of the case, this Court is of the view that the petitioner has failed to make out a prima facie case for grant of suspension of sentence. The petitioner has been convicted for having committed a very serious offence against the victim. Therefore, this Court is not inclined to grant suspension of sentence imposed by the Trial Court.

6. Accordingly, this Criminal Miscellaneous Petition stands dismissed.

24.06.2025

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

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G.K.ILANTHIRAIYAN, J.

Lpp

To

1. The Additional District Judge
Fast Track Court,
Vellore.

2. The Inspector of Police,
Veppamkuppam Police Station,
Vellore.

3. The Public Prosecutor,
High Court, Madras.

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