



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. 12217 of 2025

in

Crl.A.No.1524 of 2024

MANJUNATH

Petitioner(s)

Vs

The State Rep. by the Inspector of Police,
Bagalur police station,
Krishnagiri District. (Crime No.555/2020)

Respondent(s)

PRAYER: Petition filed under Section 389 (1) of Cr.P.C. to suspend the sentence imposed against the petitioner in S.C.No.101/2021 on the file of the learned Principal District and Sessions Judge, Krishnagiri, Krishnagiri district dated 15.10.2024 and enlarge the petitioner on bail pending disposal of the said Crl.A.No.1524/2024 on the file of this Court.

For Petitioner(s): Mr.E.Kannadasan

For Respondent(s): Mr.A.Damodaran



Addl. Public Prosecutor
Assisted by M.Arifa
Thasneem, Advocate

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 15.10.2024, in S.C.No.101 of 2021, on the file of the learned Principal District and Sessions Judge, Krishnagiri, pending disposal of the Criminal Appeal before this Court and enlarge the petitioner on bail.

2. Learned Principal District and Sessions Judge, Krishnagiri, in S.C.No.101 of 2021, had convicted and sentenced the petitioner as follows:

Rank of the Accused	Offence	Imprisonment	Fine
Sole Accused	307 IPC	Life Imprisonment	Rs.10,000/- in default to undergo Simple Imprisonment for three months.

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.

4. Learned counsel for the appellant / petitioner submitted that the accused found guilty of the offences under Section 307 IPC and suffered life imprisonment. He is in custody for more than one year. The evidence of PW1 clearly shows that there is no intention to cause death and there are serious infirmities in the evidences of PW1 and Investigation Officer, with regard to recovery of Knife. 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.



WEB COPY

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 Judicial Magistrate No.I, Hosur;

(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 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.)

19-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

sli



WEB COPY

CRL MP No. 12217 of 2025





WEB COPY

To

1. The Judicial Magistrate No.I,
Hosur.
- 2.The Principal District and Sessions
Judge, Krishnagiri.
- 3.The Inspector of Police,
Bagalur police station,
Krishnagiri District.
- 4.The Superintendent,
Central Prison, Salem.
- 5.The Public Prosecutor,
High Court, Madras.



WEB COPY

CRL MP No. 12217 of 2025



N.SATHISH KUMAR, J.
AND
M.JOTHIRAMAN, J.

sli

CRL MP No. 12217 of 2025
in
Crl.A.No.1524 of 2024



WEB COPY

CRL MP No. 12217 of 2025



19-11-2025