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Crl.M.P.No.12894 of 2024 in
Crl.A.No.1159 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

CORAM

**THE HONOURABLE MRS JUSTICE J. NISHA BANU
AND
THE HONOURABLE MR.JUSTICE S. SOUNTHAR**

**CRL MP No. 12894 of 2024
in
CRL A NO. 1159 OF 2024**

1. SASIKALA
W/o.Vinoth, Periya Street,
Muttam Colony,
Kattumannarkoil Taluk,
Cuddalore Dt.

Petitioner(s)

Vs

1. State Rep.By
The Inspector Of Police,
Kattumannarkoil Police Station,
Cuddalore District
Cr.No.150/2018

Respondent(s)

PRAYER: Criminal Miscellaneous Appeal filed under Section 389(2) of Cr.P.C. r/w Section 430 of BNSS to suspend the sentence of imprisonment imposed by the learned Sessions Judge, Mahila court, Cuddalore in S.C.No.176 of 2018, dated 18.02.2022 and enlarge the petitioner on bail pending disposal of the above criminal appeal before this Court



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For Petitioner(s): Ms. D.Geetha

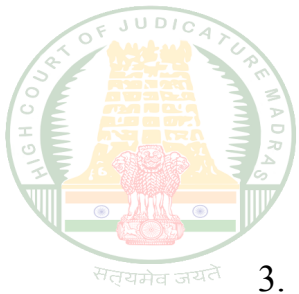
For Respondent(s): Mr.A.Damodaran,
Addl. Public Prosecutor

ORDER

(Order of the Court was made by S.Sounthar, J.)

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence of life imprisonment imposed by the learned Sessions Judge, Mahila Court, Cuddalore in S.C.No.176 of 2018, dated 18.02.2022 and to enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in S.C.No.176 of 2018 on the file of the learned Sessions Judge, Mahila Court, Cuddalore. The appellant was found guilty of the offence under Section 302 IPC (2 counts) and she was convicted and sentenced to imprisonment for life and to pay a fine of Rs.1,000/-, in default of which, she was directed to undergo simple imprisonment for a period of one month under each count. Aggrieved by the same, the instant Criminal appeal has been filed by the petitioner.



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3. The learned counsel for the appellant / petitioner would submit that there was no eyewitness to the incident and the petitioner was convicted for the offence under Section 302 IPC (2 counts) only based on the circumstantial evidence. He would further submit that the evidence of PW1 relied on by the prosecution is not useful to come to the conclusion to prove the guilt of the accused as there were lot of contradictions in her evidence. The learned counsel would further submit that the prosecution failed to prove the motive for the petitioner to commit the murder of her children. Therefore, he sought for suspension of sentence.

4. Heard the learned counsel appearing for the appellant / petitioner, and the learned Additional Public Public Prosecutor appearing for the respondent and also perused the materials placed on record.

5. It is the case of the prosecution that the petitioner committed murder of her two children and attempted to commit suicide by hanging. In order to prove the occurrence, the prosecution has not examined any eyewitness. PW1 is the mother in law of the petitioner/accused and her evidence is not sufficient to prove the guilt of the accused. The PW1, in her evidence clearly admitted that



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there was prior enmity between her and the accused, as she lodged police complaint against PW1 in All women Police Station, citing dowry harrasement.

There were lot of contradictions between the version of PW1 on oath before the court and her complaint to the police. It was also admitted by her that she was illiterate and the complaint was prepared by somebody else. However, the author of the complaint was not examined by the prosecution.

6. Taking into consideration the inherent contradictions in the evidence of PW1 and the fact that the petitioner has been in Jail for the past 4 years from 18.02.2022 onwards, this court feels that the petitioner has made out a prima facie case for suspension of sentence and hence we are inclined to suspend the substantive sentence of imprisonment alone on certain conditions.

7. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail is granted on the following conditions:

(i) the appellant is directed to be enlarged on bail, on condition that she shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only), with two sureties each for a like sum, to the satisfaction of the learned District Munsif -cum- Judicial Magistrate Court, Kattumannarkoil



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Cuddalore. Further, the appellant shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the Criminal Appeal.

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

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

23-09-2025

Note: Issue Order copy on 24.09.2025

Index: Yes/No

Internet: Yes

Neutral Citation: Yes/No

MST

To

1. The Sessions Judge, Mahila Court, Cuddalore..
2. The Public Prosecutor,
High Court of Madras.
3. The District Munsif cum Judicial Magistrate,
Kattumannarkoil, Cuddalore.
4. Special Prison for Women, Trichy.



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

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