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*Crl.M.P.No.13455 of 2025
in Crl.A.No. 849 of 2025*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.07.2025

CORAM:

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

Crl.M.P.No. 13455 of 2025 in
Crl.A.No. 849 of 2025

Girisha

...Petitioner

Vs.

The State by its
The Deputy Superintendent of Police,
Denkanikottai Police Station,
(Crime No.45 of 2021)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 374(2) of Cr.P.C., / 415 of BNSS, 2023 to suspend the sentence imposed upon the petitioner/appellant by the learned Principal Sessions Judge, Krishnagiri in S.C.No.123 of 2021 dated 04.06.2025 and enlarge the petitioner on bail pending appeal.



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For Petitioner : Mr.R.Radha Pandian
For Respondent : Mr.S.Raja Kumar
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Principal Sessions Judge, Krishnagiri in S.C.No.123 of 2021 dated 04.06.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in S.C.No.123 of 2021 on the file of the learned Principal Sessions Judge, Krishnagiri. The petitioner was found guilty of the offence under Section 3(1)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015 and the petitioner has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 3(1)(w)(i) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 2015	to undergo rigorous imprisonment for a period of six months year and to pay fine of Rs.2,500/-, in default to undergo rigorous imprisonment for three months.

Aggrieved by the same, the petitioner has filed this appeal along with the



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present miscellaneous 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 have got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Per contra, the learned Additional Public Prosecutor appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that the evidences recorded from the prosecution witnesses would prove the case of the prosecution beyond reasonable doubt. According to him, interference of this Court is not necessary in the findings arrived at by the trial Court.

5. Heard the learned counsel appearing on either side and also perused the materials placed on record.

6. Considering the facts and circumstances of the case coupled



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with the quantum of punishment imposed upon the petitioners, also by considering the submissions of the learned counsel for the petitioners and the learned Additional Public Prosecutor appearing for the respondent police, further this criminal appeal is not likely to be taken 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.

7. Accordingly, till the disposal of the Criminal Appeal, the substantive sentence of imprisonment imposed by the learned trial Judge is alone suspended and bail are granted on the following conditions:

(a) The petitioner/accused is ordered to be released on bail, on his executing a separate 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 Principal Sessions Judge, Krishnagiri.

(b) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they shall



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make arrangements to file an application under Section 317 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.

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

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



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G.K.ILANTHIRAIYAN, J.

To

1. The Principal Sessions Judge,
Krishnagiri
2. The Inspector of Police,
The Deputy Superintendent of Police,
Denkanikottai Police Station,
(Crime No.45 of 2021)
3. The Public Prosecutor,
Madras High Court,
Chennai.

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