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Crl.M.P.No.14024 of 2025
in Crl.A.No.517 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 17.07.2025

CORAM:

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

Crl.M.P.No.14024 of 2025
in
Crl.A.No.517 of 2025

Deepak @ Deepa

... Petitioner

Vs

State Rep by
Inspector of Police:
Thally Police Station,
Krishnagiri District.
(Crime No.170/2016)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence in Judgement dated 28.04.2025 passed in S.C.No.30 of 2023 on the file of the Assistant Sessions Kudge, Denkanikottai and enlarge the Petitioner/Appeellant on bail pending disposal of the above Appeal.

For Petitioner : Mr.R.Ezhilarasan

For Respondent : Mr.S.Raja kumar
Additional Public Prosecutor



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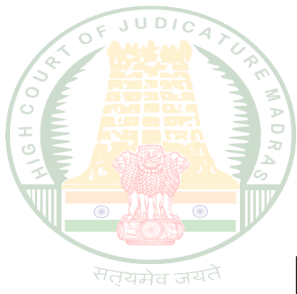
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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the trial court on the file of the Assistant Sessions Judge, Denkanikottai in S.C.No.30 of 2023 dated 28.04.2025 for the offence punishable under Section 451, 395 r/w 397, 342 of I.P.C and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein is the accused in S.C.No.30 of 2023 dated 28.04.2025 on the file of the Assistant Sessions Judge, Denkanikottai. He was found guilty of the offence under Section 451, 395 r/w 397, 342 of I.P.C

Rank of the accused	Conviction under Section	Sentence awarded
Sole accused	451 of I.P.C	to undergo rigorous imprisonment for a period of seven years and to pay a fine of Rs.5,000/- in default to undergo simple imprisonment for a period of six months
	395 r/w 397 of	to undergo rigorous



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Rank of the accused	Conviction under Section	Sentence awarded
	I.P.C	imprisonment for a period of ten years and to pay a fine of Rs.5,000/- in default to undergo shall undergo simple imprisonment for a period of six months
	342 of I.P.C	to undergo simple imprisonment for a period of one year and to pay a fine of Rs.5,000/- in default to undergo shall undergo simple imprisonment for a further period of six months

Aggrieved by the same, the present appeal has been filed.

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. Heard the learned counsel appearing for the petitioner as well as



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the learned Additional Public Prosecutor appearing for the respondent and also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that 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. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail is granted on the following conditions:

(i) The petitioner shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(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



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on the first working day of every English Calendar month at 10.30 a.m., until the disposal of the 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 355 of BNSS, 2023 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;

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

17.07.2025

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



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G.K.ILANTHIRAIYAN, J.

Nhs

To

1.The Assistant Sessions Judge,
Denkanikottai

2.The Judicial Magistrate,
Denkanikottai.

3.The Inspector of Police:
Thally Police Station,
Krishnagiri District.

4. The Superintendent,
Central Prison,
Salem.

5.The Additional Public Prosecutor,
High Court of Madras,
Chennai – 600 104.

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