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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 25.11.2025

C O R A M

THE HONOURABLE MR.JUSTICE N.SATHISH KUMAR

AND

THE HONOURABLE MR.JUSTICE M.JOTHIRAMAN

Crl.M.P.No.16629 of 2025

in Crl.A.No.1393 of 2025

Kumaravel

... Petitioner/Accused

-VS-

The State Rep.

The Inspector of Police

E-2, Saravanampatti Police Station

Coimbatore

Crime No.993/2019

... Respondent/Complainant

Prayer: Petition filed under Section 389 (1) of Cr.P.C. to enlarge the petitioner on bail by suspending the sentence imposed on him in S.C.No.160 of 2021 on the file of the learned I Additional District Judge and Sessions Judge for Trial of Bomb Blast Cases, Coimbatore (FAC) dated 25.04.2023.

For Petitioner	: Mr.M.Guruprasad for Mr.V.Tamizhanban
For Respondent	: Mr.A.Damodaran Addl. Public Prosecutor assisted by M/s.M.Arifa Thasneem



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ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence and conviction made in the judgment in S.C.No.160 of 2021 on the file of the learned I Additional District Judge and Sessions Judge for Trial of Bomb Blast Cases, Coimbatore (FAC) dated 25.04.2023, pending disposal of the Criminal Appeal before this Court and enlarge the petitioner on bail.

2. Learned I Additional District Judge and Sessions Judge for Trial of Bomb Blast Cases, Coimbatore (FAC), in S.C.No.160 of 2021, had convicted and sentenced the petitioner as follows:

Rank of the Accused	Offence	Imprisonment	Fine
A1	302 IPC	Imprisonment for life	Rs.5000/- in default to undergo further simple imprisonment for six 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 PW2 is the sole eye witness, even her evidence indicate that the deceased was in drunken stage and fell down, she is the only eye witness and no other eye witness is available. He further submitted that there are



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arguable points available in the Criminal Appeal and that the petitioner/accused has a fair chance of succeeding in the same.

Therefore, the substantive sentence imposed against the appellant / petitioner may be suspended. He further submitted that the appellant / petitioner is ready to abide by any condition imposed by this Court.

5. The respondent has filed the counter affidavit. The learned Additional Public Prosecutor, submitted that there is materials against the petitioner/appellant.

6. We have heard the rival submissions and perused the entire materials available on record, we are of the view that petitioner/appellant has arguable points and has made out a *prima facie* case for suspending the sentence.

7. Accordingly, considering the submissions made on either side 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:-



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(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 I Additional District Judge and Sessions Judge for Trial of Bomb Blast Cases, Coimbatore (FAC);

(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.)

25.11.2025

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To

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1. The I Additional District Judge and Sessions Judge for Trial of Bomb Blast Cases, Coimbatore (FAC)
2. The Superintendent
Central Prison, Trichy
3. The Inspector of Police
E-2, Saravanampatti Police Station
Coimbatore
4. The Public Prosecutor,
High Court, Madras.



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

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