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CRL MP No. 18143 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18143 of 2025

IN

CRL A NO. 1499 OF 2025

Prakash

S/o.Athiyappan, No.395, South Street,
3 Kodiyalathur, Nagapatinam, Tamil
Nadu - 610 207.

Petitioner(s)

Vs

The State Rep. by its
The Inspector of Police,
Kamanaickenpalayam Police Station.
(Crime No.173/2023)

Respondent(s)

PRAYER: To suspend the sentence imposed upon the appellant by the Assistant Sessions Judge, Palladam, judgement dated 04.06.2025 in S.C.No.35 of 2024 and enlarge the petitioner herein on bail pending disposal of the appeal.

For Petitioner(s): G.Mohanakrishnan

For Respondent(s): Mr.V. Meganathan
Government Advocate (Crl.Side)

**ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioner, To suspend the sentence imposed upon the appellant by the Assistant Sessions Judge, Palladam, judgement dated 04.06.2025 in S.C.No.35 of 2024 and enlarge the petitioner herein on bail pending disposal of the appeal.

2. The petitioner herein is the accused in S.C.No.35 of 2024 on the file of the learned Assistant Sessions Judge, Palladam. He was found guilty of the offence under Sections 294(b), 307 of IPC. Sentence to undergo a simple imprisonment of 3 months for an offence under Section 294(b) of IPC and sentence to undergo a rigorous imprisonment of 10 years and a fine of Rs.10,000/- in default to under go a period of 3 months simple imprisonment for an offence under Section 307 of IPC, against which, 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



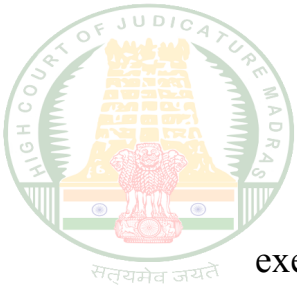
petitioner/accused has got a fair chance of succeeding in the Criminal appeal

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. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, 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. Accordingly, till the disposal of the Criminal appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner is directed to deposit a sum of Rs.30,000/- (Rupees Thirty thousand only), to the credit of SC.No.35 of 2025, on the file of the Assistant Sessions Judge, Palladam, without prejudice his defence, within a period of three weeks from the date of receipt of a copy of this order.



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(b) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate, Palladam.

(c) 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.

(d) The petitioner shall appear before the Trial Court on every Tuesday 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 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.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in SC.No.35 of 2024, on the file of the Assistant Sessions Judge, Palladam, on proper identification, in the manner known to law.

(f) the petitioner shall not to have any communication with the victim family.



5.

With the above directions, this Criminal Miscellaneous Petition is

ordered.

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26-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1. The State Rep. by its
The Inspector of Police,
Kamanaickenpalayam Police Station.
(Crime No.173/2023)

2. The Assistant Sessions Judge,
Palladam.

3. The Judicial Magistrate, Palladam.

4. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.
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