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CRL MP No. 17789 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 17789 of 2025

AND

CRL A NO. 1509 OF 2024

Mohanraj Alias Pandu
S/o.Murugan, Residing at Pillaiyar
Kovil Street, Siruvallikuppam,
Vikravandi Taluk.

Petitioner(s)

Vs

State Rep by
Deputy Superintendent of Police,
(Villupuram Sub-Division Villupuram,
(Vikravandi P.S. Cr.No.405/22)

Respondent(s)

CRL MP No. 17789 of 2025

PRAYER

To Suspend the sentence passed in Special S.C.No.68 of 2022 dated 30.09.2022 on the file of Learned of Special Court For Exclusive Trial of Cases Registered Under The Scheduled Castes And The Scheduled Tribes (Prevention of Atrocities) Act, 1989, Villupuram pending disposal of the above Appeal.



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For Petitioner(s): Mr.P.Prince Premkumar

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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Sessions Judge, Special Court for Exclusive Trial of cases registered under the SC and ST (Prevention of Atrocities) Act, 1989, Villupuram, in Spl.S.C.No.68 of 2022 dated 30.09.2024 and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in Spl.S.C.No.68 of 2022 on the file of the learned Sessions Judge, Special Court for Exclusive Trial of cases registered under the SC and ST (Prevention of Atrocities) Act, 1989, Villupuram. He was found guilty of the offences under Section 324 and 307 of IPC/BNS and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 324 of I.P.C.	to undergo rigorous imprisonment for a period of three years.
2	Section 307 of IPC	to undergo rigorous imprisonment for a period of 10 years and to pay fine of Rs.10,000/-, in default to undergo rigorous imprisonment for further period of two years.



Aggrieved by the same, the petitioner had filed this appeal along with the present miscellaneous petition.

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3. The learned counsel for the petitioner/accused would submit that he has been falsely implicated in this case as if he attacked the defacto complainant with an intention to kill him with deadly weapons and caused grievous injuries, but in fact, on that day, the defacto complainant was under the influence of alcohol and he attempted to misbehave with his mother. Hence, there was a wordy quarrel happened on that day. He would submit that he is in judicial custody from the date of judgment i.e. on 30.09.2024 for more than one year. He would further submit that he was acquitted for an alleged offence under Sec.294(b), 506(2) I.P.C. and Sec.3(1)(r), 3(1)(s), 3(2)(v) of SC/ST Act. He would also 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 Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition and contended that due to his attack, nearly about 10 cut injuries sustained by the victim. Further, he would contend that he has no bad



antecedents and 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.

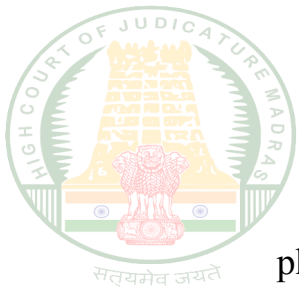
6. On seeing the facts, it reveals that all were belong to same village and he is in custody from the date of judgment i.e. on 11.09.2024 for more than one year and he was acquitted under Sec.294(b), 506(2) I.P.C. and Sec.3(1)(r), 3(1)(s), 3(2)(v) of SC/ST Act and he has no bad antecedents. Considering that and 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 and the learned Government Advocate (Crl. Side) 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 **shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only)** for her mental agony to the credit of S.C.No.68 of 2022 on the file of learned Special Court for Exclusive Trial of cases registered under the SC and ST (Prevention of Atrocities) Act, 1989, Villupuram, within a period of two weeks from the date of receipt of copy of this order. Failing which, the order passed by this Court shall stand automatically cancelled. On such deposit, the victim is permitted to withdraw the amount on filing undertaking affidavit and on production of proper identification and acknowledgement.

(b) The petitioner/accused is ordered to be released on bail, on their executing a separate bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each, in which one surety must be a blood surety, for a like sum to the satisfaction of the learned Special Court for Exclusive Trial of cases registered under the SC and ST (Prevention of Atrocities) Act, 1989, Villupuram.



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(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 report before the respondent police on every Saturday at 10.30 a.m. for the period of three months and he shall also 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 he is not able to appear before the trial Court on any day, he shall 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.

9. Post the matter on 19.11.2025.

23-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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1. Special Court for Exclusive Trial of cases registered under the SC and ST (Prevention of Atrocities) Act, 1989, Villupuram.
2. The Deputy Superintendent of Police, (Villupuram Sub-Division), Villupuram. (Vikravandi Police Station)
3. The Superintendent of Prison, Central Prison, Cuddalore.
4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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