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Crl.M.P.No.17159 of 2025 in  
Crl.A.No.1448 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.09.2025

CORAM:

**THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI**

**Crl.M.P.No.17159 of 2025  
in Crl.A.No.1448 of 2025**

1.Faiyas Ahmed  
2.Sajid Ahmed  
3.Mohammed Ismail  
4.Suhel Ahamed

.... Petitioners

Vs

State rep. by,  
The Inspector of Police,  
Ambur Town Police Station,  
Vellore District.  
(Crime No.304/2015)

.... Respondent

**PRAYER:** Criminal Miscellaneous Petition filed under Section 389 (1) Cr.P.C., to suspend the sentence and conviction imposed against the appellant by judgment dated 28.08.2025 by the District and Sessions Court, Tirupattur passed in S.C.No.175 of 2017 and enlarge the Petitioners on bail till the disposal of the above Criminal Appeal.

For Petitioners : Mr.M.Mohammed Riyas  
For Respondent : Mr.V.Meganathan  
Government Advocate (Crl.Side)



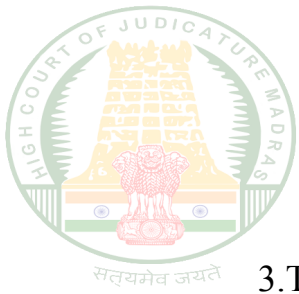
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## **ORDER**

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This Criminal Miscellaneous Petition has been filed by the petitioners, seeking suspension of sentence and conviction imposed against the petitioners by judgment dated 28.08.2025 by the District and Sessions Court, Tirupattur passed in S.C.No.175 of 2017 and enlarge the petitioners on bail till the disposal of the above Criminal Appeal.

2.The petitioners herein are the accused in S.C.No.175 of 2017 on the file of the District and Sessions Court, Tirupattur. They were found guilty for the offence under Section 148 r/w. 34 of IPC to undergo simple imprisonment for 2 years and to pay fine of Rs.3,000/- in default to undergo simple imprisonment for the period of 3 months, 353 r/w. 34 of IPC to undergo simple imprisonment for one year and to pay fine of Rs.1,000/- in default to undergo simple imprisonment for the period of 3 months, 506 (ii) r/w. 34 of IPC to undergo simple imprisonment for 3 years and to pay fine of Rs.2,000/- in default to undergo simple imprisonment for the period of one year and section 324 of IPC to undergo simple imprisonment for 3 years and to pay fine of Rs.5,000/- in default to undergo simple imprisonment for the period of 6 months. Aggrieved by the same, the present petition has been filed.



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3.The learned counsel for the petitioners/accused would submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have got a fair chance of succeeding in the Criminal Appeal and hence, the substantive sentence imposed against the petitioners/accused may be suspended and the petitioners are ready to abide any condition to be imposed by this Court.

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

5.Considering the submissions of the learned counsel for the petitioners, 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 Case, the reliefs of suspension of sentence and bail are granted on the following conditions:



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(i) The petitioners shall execute a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the Judicial Magistrate, Ambur;

(ii) The petitioners 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 petitioners 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 appeal petition 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;

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

15.09.2025

Index : Yes/No  
Neutral citation : Yes/No  
Speaking/non-speaking order  
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- To
- 1.The Judicial Magistrate,  
Ambur.
  - 2.The District and Sessions Court,  
Tirupattur.
  - 3.The Inspector of Police,  
Ambur Town Police Station,  
Vellore District.  
(Crime No.304/2015)
  - 4.The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI, J.**

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