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Crl.M.P.No.17544 of 2025 in
Crl.A.No.982 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18.09.2025

CORAM:

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

**Crl.M.P.No.17544 of 2025
in Crl.A.No.982 of 2025**

1.Santhakumar
2.Kala
3.Bhupesh

.... Petitioners

Vs

The State rep. by:
Inspector of Police,
Kumarapalayam Police Station,
Namakkal District.
(Crime No.282/2019)

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430 (1) of BNSS (Section 389(1) of Cr.P.C) to suspend the sentence of imprisonment on the petitioners in the Judgment dated 30.06.2025 made in S.C.No.14/2022 on the file of the II Additional District and Sessions Judge, Tiruchengode and enlarge the petitioner on bail pending disposal of the above Appeal before this Hon'ble Court.

For Petitioners : Mr.A.Padmanaban
For Respondent : V.Meganathan
Government Advocate (Crl.Side)

ORDER



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This Criminal Miscellaneous Petition has been filed by the petitioners, seeking suspension of sentence of imprisonment on the petitioners in the Judgment dated 30.06.2025 made in S.C.No.14 of 2022 on the file of the II Additional District and Sessions Judge, Tiruchengode and enlarge the petitioners on bail pending disposal of the above Appeal

2.The petitioners herein are the accused in S.C.No.14 of 2022 on the file of the learned II Additional District and Sessions Judge, Tiruchengode. They were found guilty for the offence under Sections 294(b), 323, 307 and 302 IPC @ 449, 302, 114 r/w 34, 307 r/w 34 IPC. After trial they were convicted, A1 was sentenced to undergo 10 years of rigorous imprisonment under Section 304 (ii) IPC, and A2 & A3 were sentenced to undergo 10 years of rigorous imprisonment under Sections 304 (ii) r/w 34 IPC. Aggrieved by the same, the present petition has been filed.

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. He would further submit that there was a dispute between the family members with regard to the disbursement of share of Rs.30 lakhs, which was received by PW1. Due to the



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wordy quarrel, the deceased was fell down and already he was suffered illness subsequently he died. The petitioners have been falsely implicated in this case by the prosecution. 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.On perusal of records, it is seen that Kala/A1 is the daughter of PW1, her husband Santhakumar/A2 and son Bhupesh/A3 are the son-in-law and grandson of PW1 respectively.

6.Considering the submissions of the learned counsel for the petitioners, coupled with the quantum of punishment imposed upon the petitioners and taking into consideration the fact that this criminal appeal is not likely to be taken for final hearing in the near future and considering the fact the disputes between the family members, and all the petitioners are the father, mother and son, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of



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the Criminal Appeal, the reliefs of suspension of sentence and bail are granted
on the following conditions:

(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 trial court;

(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 revision 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;

(iv) The petitioners shall not communicate with the Defacto Complainant family.

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



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ordered.
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Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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To

- 1.The II Additional District and Sessions Judge, Tiruchengode.
- 2.The Superintendent of Prison, Central Prison Salem.
- 3.The Superintendent of Prison, Central Prison, (Women Cell), Coimbatore.
- 4.The Inspector of Police, Kumarapalayam Police Station,
Namakkal District. (Crime No.282/2019)
- 5.The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI, J.

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