



WEB COPY



Crl.M.P.No.17434 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.17434 of 2025
in Crl.A.No.75 of 2025**

Akash
(Now confined in Central Prison-Coimbatore) Petitioner

Vs

State rep. by
The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
(Crime No.356/2023)

.... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 430 (1) BNSS, to suspend the sentence made in S.C.No.52 of 2024, on the file of Learned Assistant Sessions Judge, Palladam dated 02.12.2024 and enlarge the Petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.W.Camyles Gandhi
For Respondents : Mr.V.Meganathan
Government Advocate (Criminal Side)



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ORDER

WEB COPY This Criminal Miscellaneous Petition filed to suspend the sentence made in S.C.No.52 of 2024, on the file of Learned Assistant Sessions Judge, Palladam dated 02.12.2024 and to enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2.The petitioner, who is an accused in S.C.No.52 of 2024, was convicted and sentenced by the Assistant Sessions Judge, Palladam, vide judgment dated 02.12.2024, as follows:

Rank of the accused	Conviction under Section	Sentence awarded
A2	341 read with 34 of IPC	Sentenced to undergo one month per each count (2 counts)
	394 read with 397 of IPC	Sentenced to undergo rigorous imprisonment of ten years per each count and to pay a fine of Rs.2,000/- per each in default for 3 months for each default (2 counts)

3.The learned counsel for the petitioner/accused would 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



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petitioner/accused may be suspended. He would further 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. Further, he would contend that 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 for the petitioner and the learned Government Advocate (Criminal Side) for the respondent.

6.Considering the above facts and circumstances of the case, submissions made by the learned counsel on either side and on considering the gravity of offence, at this stage, this Court is not inclined to grant suspension.



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7.In the result, the petition for suspension of sentence is
dismissed.

18.09.2025

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
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WEB COPY To

- 1.The Assistant Sessions Judge,
Palladam.
- 2.The Inspector of Police,
Avinashipalayam Police Station,
Tiruppur District.
(Crime No.356/2023)
- 3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.

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