



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 17586 of 2025

IN

CRL A NO. 1472 OF 2025

Sekar

S/o. Mahendran, K.Mathur Village,
Kallapatti Post, Gudiyatham Taluk,
Vellore District. (Now Confined at
Central Prison, Vellore)

Petitioner(s)

Vs

State by the Inspector of Police,
Paradarami Police Station, Gudiyatham,
Vellore, (Crime No. 103/2015)

Respondent(s)

PRAYER

To Suspend the sentence imposed against him by the learned Mahila Court (Fast Track Mahila Court), Vellore , Vellore District in SC.No.19/2022 by Judgement dated 28.07.2025 and grant bail to the petitioner pending disposal of Crl.A.No.1742/2025 on the file of this Court.

For Petitioner(s): Mr. V.Paarthiban

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

**ORDER**

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2. The petitioner herein is the accused in S.C.No.19 of 2022 on the file of the learned Mahila Court (Fast Track Mahila Court), Vellore, Vellore District. He was found guilty of the offences under Section 307 of IPC/BNS and he has been convicted and sentenced to undergo four years rigorous imprisonment and to pay a fine of Rs.2000/-, in default t undergo simple imprisonment for the period of one month. Aggrieved by the same, the petitioner had filed this appeal and consequently, he filed the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that he is the husband of defacto complainant and on that day, he happened to talk with one Gnanam, village woman of that locality, aggrieved over that, there was a wordy quarrel between husband and wife, thereby both attacked each other. Hence, has been falsely implicated in this case and he has not committed any



offence alleged by the respondent police and he is in judicial custody from 28.07.2025 for more than 80 days. He would further 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 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. 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 appearing on either side and also perused the materials placed on record.

6. On seeing the facts, it reveals that the petitioner is aged about 61 years and he is husband of defacto complainant, on that day, since the petitioner happened to talk with one Gnanam, village woman, aggrieved over that, there was a wordy quarrel between them, due to which entire occurrence said to be



happened and he is in judicial custody from 28.07.2025 for more than 80 days.

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/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, **in which one surety must be a blood surety**, each for a like sum to the satisfaction of the **learned Judicial Magistrate, Gudiyatham**

(b) 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.

(c) **The petitioner shall appear before the respondent police on every Saturday at 10.30 a.m. for the period of three**



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months and he shall cooperate with the trial proceedings and also directed to 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 06.01.2025.

15-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. Mahila Court (Fast Track Mahila Court), Vellore, Vellore Dt.
2. Judicial Magistrate, Gudiyatham.
3. The Inspector of Police, Paradarami Police Station, Gudiyatham, Vellore.
4. The Superintendent of Prison, Central Prison, Vellore.
5. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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