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CRL MP No. 19074 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 19074 of 2025

AND

CRL A NO. 798 OF 2024

1. Syed Mohamed Ikram Alias Ikram
S/o.Syed Akbar Ahamed, No.11, Palli
Vasal Veethi, Katherpet, Tiruppur. Pin
641601. (Now confined as Convict
Prisoner Central Prison, Salem.

Petitioner(s)

Vs

1. The State Rep. by its
The Inspector of Police, Tiruppur
Central Police Station, Tiruppur. Crime
No.485 of 2022

Respondent(s)

PRAYER

To suspend the sentence imposed by the judgment passed against the petitioner in S.C.No.29 of 2023 on 07.10.2023 by the Learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Cout), at Tiruppur and enlarge the petitioner on bail pending disposal of the above Criminal Appeal and pass such further or other orders as this Honble Court may deem fit and proper in the circumstances of the case and thus render justice.



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For Petitioner(s): P.Thinesh
G.D.Pon Prabhakaran
T.Babitha
N.Suresh Babu

For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to suspend the sentence imposed by the judgment passed against the petitioner in S.C.No. 29 of 2023 on 07.10.2023 by the Learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Cout), at Tiruppur and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein was convicted by the Trial Court for the offence punishable under Section 452 IPC and sentenced to Rigorous Imprisonment for 7 years and imposed fine of Rs.5,000/-, in default, to undergo Simple Imprisonment for one year and for the offence under Section 393 r/w 398 IPC sentenced to Rigorous Imprisonment for 7 years and each payment of Rs.10,000/-, in default, to undergo simple imprisonment for one year. Aggrieved by the same, the petitioner filed this appeal along with this



Miscellaneous petition.

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The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Appeal and the petitioner/accused has 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 he submit that the petitioner is having 10 previous cases, which including cases under Section 307 IPC but some cases ended in acquittal.

4.1. The learned counsel for the petitioner submits that out of 10 cases, 4 cases entered into acquittal. 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. Considering the facts and circumstances of the case, the petitioner is surviving with wife and child and considering 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/-**



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(Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Session Judge, Magalir Neethimandram, (Fast Track Mahila Cout), at Tiruppur.

(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 Trial Court on the first and last working day of every English Calendar month at 10.30 a.m., until the disposal of the Criminal Appeal and if there are not able to appear before the trial Court on any day, they 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.

30-10-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



To

1. The Session Judge, Magalir Neethimandram, (Fast Track Mahila Cout), at Tiruppur.
2. The Central Prison, Salem.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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