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CRL MP No. 20646 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 05-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20646 of 2025

IN

CRL A NO. 1694 OF 2025

ANBU

S/o. Periaswamy, Perumal Koil Street,
Chitrambakkam Colony, Tiruvallur
District-631402. Currently lodged in
Central Prison-I, Puzhal.

Petitioner(s)

Vs

The State of Tamil Nadu rep by, The
Inspector of Police,
Kadambattur Police Station, Tiruvallur.
Crime No.94/2015.

Respondent(s)

For Petitioner(s): M/s.Mr.S.Vidhyasagar

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

**ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed against the petitioner in S.C.No.51 of 2016, dated 27.06.2025, on the file of the Sessions Court, Fast Track Mahila Court, Tiruvallur, and enlarge the petitioner on bail pending disposal of the said Crl.A.No.437/2023

2. The case was committed to the sessions Court and the same was taken on file as S.C.NO.51 of 2016 from where it was made over to the learned Sessions Judge, Fast track Mahila Court, Tiruvallur for Trial and charges were framed for offence under Sections 363(2 counts) 364(2 counts), 302 (2 counts) and 506(i) of IPC. On completion of the trial, the learned Trial Court has convicted the appellant to undergo for a term of 10 years Rigorous imprisonment for the offence under Section 304 Part 2 (2 counts) of IPC and to undergo for a term of two years rigorous imprisonment for the offence under Section 506(i) of IPC and convicted him. Against which, the present appeal has been filed.



3. The learned counsel for the petitioner/accused would submit that petitioner, aged about 49 years, has prayed for the grant of suspension of sentence. He has submitted that he is ready to abide by any condition imposed by this Court. He further stated that he has to look after his aged mother, who is 72 years old. The petitioner has already lost his wife and two children. He contends that he has been falsely implicated in this case as if he had committed the murder of his two children, whereas, in fact, the offence was committed by one Mari. However, the prosecution failed to implicate the said Mari as an accused and has not proved the case beyond reasonable doubt. The petitioner claims that he has a valid defence.

4. The learned Government Advocate (Crl.Side) raised objection to suspend the sentence.

5. 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, 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. Accordingly, till the disposal of the Criminal appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the learned Judicial Magistrate-II, Tiruvallur.

(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 report before the respondent police on every Saturday at 10.30 a.m., and also the appear before the Trial Court on every Tuesday 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 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.

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

05-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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1. The State of Tamil Nadu rep by,
The Inspector of Police,
Kadambattur Police Station, Tiruvallur.
Crime No.94/2015.

2. The Sessions Judge, Fast Track
Mahila Court, Tiruvallur.

3. The Superintendent,
Central Prison, I -Puzhal.

4. The Public Prosecutor,
High Court of Madras, Chennai.



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T.V.THAMILSELVI J.
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