



WEB COPY



*Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024*

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **02-01-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL MP NO. 18418 OF 2024

in

CRL A NO. 1640 of 2024

SUBRAMANIAM

S/o.Subramaniam, 36/46, Aiyyan Thottam,
Erakampatti, Konaripatti Post, Dharpuram Taluk,
Tiruppur District.

Petitioner (S)

Vs

The State By,
Deputy Superintendent Of Police, Tiruppur Sub
Division, Tiruppur District. Crime No.167 Of 2022
and 2 Others

Respondent(s)

For Appellant(s):

K.Sudhakar

For Respondent(s):

Dr.C.E.Pratap,
Government Advocate (Crl. Side) for R1 and R2

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the judgment dated 06.12.2024 passed in Spl.S.C.No.25 of 2024 on the file of Sessions Judge/Special Court for trial



*Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024*

of Cases for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities)

Act, Tiruppur, pending disposal of the above criminal appeal.

2. The petitioner/Accused in Spl.S.C.No.25 of 2024 was convicted by the Trial Court by judgment dated 06.12.2024 for the offences under Sections 341 and 323 of I.P.C. and sentenced to undergo one month simple imprisonment and directed to pay a fine of Rs.500/-, in default, to undergo one week simple imprisonment for offence under Section 341 of I.P.C. and sentenced to undergo one year simple imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo one month simple imprisonment for offence under Section 323 of I.P.C. Aggrieved by the same, the petitioner filed Crl.A.No.1640 of 2024 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

3.The learned counsel for petitioner would submit that though the petitioner was charged for offences under Sections 341, 294(b), 323 and 506(i) of I.P.C. r/w 3(2)(va), 3(1)(r) and 3(1)(s) of SC/ST (POA) Act, the trial Court had acquitted the petitioner for the offences under Sections 294(b), 506(i) of I.P.C. r/w 3(2)(va), 3(1)(r) and 3(1)(s) of SC/ST (POA) Act; that the trial Court



*Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024*

had suspended the sentence for a period of one month, which expires on 03.01.2025 and that the petitioner has raised substantial grounds in the appeal, which requires consideration and prayed for granting suspension of sentence to the petitioner.

4. Heard the learned Government Advocate (Crl. Side) appearing for the respondent police.

5. Considering the fact that the petitioner has raised several arguable points in the appeal, which requires consideration; that the sentence of imprisonment has already been suspended by the trial Court and since the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

6. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above Criminal appeal and the petitioner is ordered to be released on bail on the following conditions:

- (i) The petitioner shall execute a bond each for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the



WEB COPY



*Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024*

learned Sessions Judge/Special Court for trial of Cases for Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act, Tiruppur;

- (ii) The petitioner 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; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the 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.

**02.01.2025
(2/2)**

rsi



*Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024*

WEB COPY

To

- 1.The Deputy Superintendent Of Police,
Tiruppur Sub Division, Tiruppur District.
- 2.The Inspector Of Police,
Moolanur Police Station, Thiruppur District.
- 3.The Sessions Judge,
Special Court for trial of Cases for Scheduled Caste and Scheduled
Tribes (Prevention of Atrocities) Act, Tiruppur.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



*Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024*

SUNDER MOHAN, J.

rsi

**Crl.M.P.No.18418 of 2024
in Crl.A.No.1640 of 2024**

**02.01.2025
(2/2)**