



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20018 of 2025

AND

CRL A NO. 129 OF 2025

1. Sanjay @ Dhineshkumar
S/o.Rajendran, No.7/6, Kamarajar
Nagar, 3rd Street, Choolaimedu,
Chennai-600 094.

Petitioner(s)

Vs

1. The State Rep By The Inspector Of
Police
F5 -Choolaimedu Police Station,
Chennai.

Respondent(s)

CRL MP No. 20018 of 2025

PRAYER

To suspend the sentence imposed on the petitioner passed in S.C.No. 16 of 2024 on the file of the I Additional Sessions Judge, City Civil Court, Chennai dated 30.04.2024 and enlarge the petitioner on bail pending disposal of the Criminal Appeal and thus render Justice.



CRL MP No. 20018 of 2025

For Petitioner(s): A.Elumalai
S.Shanmugam
R.Allan

For Respondent(s): Public Prosecutor

ORDER

This petition has been filed to suspend the sentence imposed on the petitioner passed in S.C.No. 16 of 2024 on the file of the I Additional Sessions Judge, City Civil Court, Chennai dated 30.04.2024 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

2. The Trial Court found the petitioner guilty and convicted for the offence under Section 307 IPC and sentenced him to undergo 10 years Rigorous Imprisonment and to pay a fine of Rs.1,00,000/- and, in default of payment of fine thereof to undergo further period of 2 years Simple Imprisonment. Aggrieved over the same, the petitioner filed the appeal and Criminal Miscellaneous Petition.

3. The learned counsel for the petitioner/accused would 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. Further, he submit that the petitioner has no source of income and his family is living without source of income. 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 submit that the petitioner attacked the victim with knife, due to which, the victim lost his left eye sight. 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 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 petitioners/accused are 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 each for a like sum to the satisfaction of the learned Additional Sessions Judge, City Civil Court, Chennai. After releasing on bail, the petitioner shall deposit a sum of Rs.50,000/- before the Trial court and victim/P.W.2 is permitted to with the same. Further, the petitioner has lost his eye sight, hence this Court is inclined to



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grant Rs.3 lakhs as additional compensation to the victim/P.W.2, the Secretary, District Legal Service Authority, Chennai, is directed to refer this matter to The District Collector, Chennai, to get compensation within a period of 12 weeks from the date of receipt of a copy of this order as per manner known to law.

(b) The petitioners/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 petitioners shall 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 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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CRL MP No. 20018 of 2025



T.V.THAMILSELVI J.

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To

1. The Additional Sessions Judge, City Civil Court, Chennai.
2. The Central Prison, Puzhal – I.
3. The Public Prosecutor, High Court, Madras.

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