



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 12.11.2025

CORAM:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.No.20061 of 2025
in Crl.A.No.1654 of 2025**

Prabakaran

...Petitioner

Versus

The State Rep. By
Inspector of Police,
Pernambut Police Station,
Pernambut, Vellore District.
(Crime No.613 of 2020)

...Respondent

This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 praying to suspend the sentence imposed in the Judgment dated 29.09.2025 in S.C.No.20 of 2022 on the file of the Fast Track Mahila Court, Vellore pending disposal of the Crl.A.No. of 2025.

For Petitioner	:	Mr.G.Vinodhkumar
For Respondent	:	Mr.V.Meganathan, Government Advocate (Crl.Side)



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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking to suspend the sentence imposed on him by the learned Sessions Judge, Fast Track Mahila Court, Vellore vide Judgment dated 29.09.2025 in S.C.No.20 of 2022 and enlarge him on bail pending disposal of the Criminal Appeal.

2. The petitioner is Accused No.1 in S.C.No.20 of 2022 on the file of Fast Track Mahila Court, Vellore. The petitioner/accused was found guilty of the offence under Sections 498(A) & 304(B) of IPC. Therefore, the trial Court vide Judgment dated 29.09.2025 in S.C.No.20 of 2022, convicted the petitioner/accused and sentenced him as follows:

S.No.	Offence	Punishment
1	Under Section 498(A) of IPC	To undergo 1 year rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo 1 month simple imprisonment.
2	Under Section 304(B) of IPC	To undergo 7 years rigorous imprisonment and to pay a fine of Rs.10,000/-, in default, to undergo 1 month simple imprisonment.



Aggrieved by the said conviction and sentence, petitioner/accused has filed the present

Criminal Appeal.

3. The learned counsel for petitioner/accused submitted that petitioner/accused is ready and willing to settle the land and house property comprised in S.No.20/2 situated at Jittapalli Village, Gudiyatham Taluk, Vellore District which stands in his name in favour of his minor son viz., P.Jithesh by giving the life interest of said property to the maternal grand-mother of his son and appointing her as the legal gaudian to his son. The learned counsel has produced an Undertaking Affidavit dated 11.11.2025 signed by the petitioner/accused to that effect before this Court.

3.1. It is further submitted by the learned counsel for peititioner/accused that petitioner/accused is in judicial custody and he is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel prayed that the substantive sentence imposed on the petitioner/accused may be suspended.



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4. The learned Government Advocate (Crl.Side) appearing for the respondent Police submitted that the petitioner/accused had tortured his wife Sridevi by demanding dowry, due to which, his wife Sridevi had committed suicide by hanging. The petitioner/accused was found guilty of the offence punishable under Sections 498(A) & 304(B) of IPC. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to petitioner/accused.

5. Heard the learned counsel on both sides and perused the materials available on record.

6. The aforesaid Undertaking Affidavit dated 11.11.2025 signed by the petitioner/accused is taken on file.

7. Considering the submissions made by the learned counsel for petitioner/accused coupled with the quantum of punishment imposed on the



petitioner/accused and taking into consideration of the fact that the Criminal Appeal is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone and grant interim bail to the petitioner/accused.

8. Accordingly, the reliefs of suspension of sentence and interim bail are granted to petitioner/accused till 27.11.2025, on the following conditions:

(i) The sentence of imprisonment imposed on the petitioner/accused shall be suspended and the petitioner/accused shall be released on interim bail, on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a likesum to the satisfaction of the trial Court;

(ii) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the trial Court may obtain a copy of their Aadhaar Card or Bank Pass Book and their mobile numbers to ensure their identity;

(iii) The petitioner/accused shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., for a



period of 5 months 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 his absence, as directed by the trial Court.

9. With the above directions, this Criminal Miscellaneous Petition is allowed.

12.11.2025

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Index : Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list Crl.A.No.1654 of 2025 for hearing on 27.11.2025.

To

1.The Fast Track Mahila Court,
Vellore.

2.The Inspector of Police,
Pernambut Police Station,
Pernambut, Vellore District.

3.The Public Prosecutor,
High Court, Madras.



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T.V.THAMILSELVI, J.

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