



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 20152 of 2025 and Crl.A.No.1508 of 2025

1. M.Bakkiyaraj

S/o.Mannaadhan, 241, Sangari Illam,

Gounder Nagar, Loganathan Ortho

Hospital Opp,. Bhavani - 638301.

Petitioner(s)

Vs

1. The State Represented by, The

Inspector of police,

Nambiyur Police Station, The Erode

District. In Crime No. 302/2020.

Respondent(s)

PRAYER

To suspend the sentence imposed in judgement and conviction passed in S.C.No.16 of 2022 dated 29.08.2025 on the file of the Learned III Additional District Judge, Erode District at Gobichettipalayam and enlarge the petitioner on bail pending criminal appeal

For Petitioner(s): B Mohan
 B.M.Subash
 P.Vetrivel
 S.Bharanidharan

For Respondent(s): MR.V. Meganathan, Government
 Advocate

**ORDER**

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed in judgement and conviction passed in S.C.No.16 of 2022 dated 29.08.2025 on the file of the Learned III Additional District Judge, Erode District at Gobichettipalayam and enlarge the petitioner on bail pending criminal appeal

2. The petitioner herein is the accused in S.C.No.16 of 2022 dated 29.08.2025 on the file of the Learned III Additional District Judge, Erode District at Gobichettipalayam. He was found guilty of the offence under Section 489 (B) of I.P.C and convicted and sentenced to undergo rigorous imprisonment for five years in addition imposed a fine of Rs.2,000/- in default to undergo three months simple imprisonment. Further the accused is convicted and sentenced under Section 489 (C) of I.P.C to undergo Rigorous imprisonment for five years in addition a fine of Rs.2,000/- in default to undergo three months simple imprisonment. Challenging the same, the present appeal has been filed.

3.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 further submitted that the petitioner has been falsely implicated in this case and he has not committed any offence as alleged by the prosecution. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. 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(out of which one surety



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must be a blood related surety) each for a like sum to the satisfaction of the Learned III Additional District Judge, Erode District at Gobichettipalayam.

(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 every Saturday 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.

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

29-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To

1. The Inspector of police,
Nambiyur Police Station, The Erode
District.
2. The Learned III Additional District
Judge, Erode District at
Gobichettipalayam
3. The Public Prosecutor, High Court,
Madras



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T.V.THAMILSELVI, J.

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