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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22675 of 2025 AND CRL A NO. 1267 OF 2025

1. Elizabeth

W/o.P.Sivakumar, Singona,
Cherangode, Cherambadi.

Petitioner(s)

Vs

1. The Inspector of Police,
All Women Police Station, Devala
Police Station, Devala, Nilgiris District.

Respondent(s)

PRAYER

To suspend the substantial sentence of 5 years of rigorous Imprisonment imposed by the Learned Sessions Judge Magalir (FTC), Udhagamandalam, dated 16.06.2025 in S.C.No.33 of 2018 by enlarge petitioner/Appellant on Bail pending disposal of the above Criminal Appeal.

CRL MP No. 22675 of 2025

For Petitioners: K.M.Balaji
K. Lavan
T.Anjalidevi
M. Karthiga

For Respondent(s): Mr.V. Meganathan, Govt
Advocate

ORDER



This Criminal Miscellaneous Petition has been filed by the petitioners, to suspend the substantial sentence of 5 years of rigorous Imprisonment imposed by the Learned Sessions Judge Magalir (FTC), Udhagamandalam, dated 16.06.2025 in S.C.No.33 of 2018 by enlarge petitioner/Appellant on Bail pending disposal of the above Criminal Appeal.

2. The petitioner in S.C.No.33 of 2018 were convicted and sentenced by the learned Sessions Judge, Mahalir court, Uthagamandalam vide Judgment dated 16.06.2025 as follows:

Rank of the accused	Conviction under Section	Sentence awarded
A1	Section 370(1)(4) r/w 511 of IPCHe is sentenced to r.w Section 81 of Juvenile Justice (undergo rigorous Care and protection of children)imprisonment for a period Act and Section 511 of IPC	of five years and to pay fine of Rs.1,00,000/- in default to undergo simple imprisonment for three months

Against which, 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 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, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the learned Magalir (Fast Track) Court, Uthagamandalam.

(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.

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(c) The petitioner shall 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.

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

28-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To.

1. The Learned Sessions Judge Magalir (FTC), Udthagamandalam
2. The Inspector of Police, All women Police Stationm Devala Police Station, Nilgiris District.
3. The Superintendent, Central prison for Women at Coimbatore



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4. The Public Prosecutor, High Court, Madras.

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T.V.THAMILSELVI, J.

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