



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 21582 OF 2025

IN

CRL A No. 1756 of 2025

1. MOHAN

S/o.Murugesan, Mariamman Kovil
Street, Old Colony, Brahmadesam
Post, Tindivanam Taluk.

Appellant(s)

Vs

1. The State Rep by, The Inspector of
Police,
Tindivanam Police Station, Tindivanam,
Villupuram District. Cr.No.215/2014.

Respondent(s)

PRAYER

To suspend the sentence passed by the Principal Assistant Sessions Court, Tindivanam in S.C.No.213/2016 dated 10.10.2025 and release the petitioner on bail pending disposal of the above Criminal Appeal.

CRL A No. 1756 of 2025

For Appellant(s): J.Antony Jesus
S.A.Jegan
M.A.Caroline Bercy
JAYAPRIYA
R.Chandru
K.Rajarajan
J.Rahul Adhitya

For Respondent(s): Mr.V. Meganathan



WEB COPY

CRL A No. 1756 of 2025



Government Advocate (Crl. Side)

ORDER

This petition has been filed to suspend the sentence passed by the Principal Assistant Sessions Court, Tindivanam in S.C.No.213/2016 dated 10.10.2025 and release the petitioner on bail pending disposal of the above Criminal Appeal.

2. The petitioners herein are the accused in S.C.No. 213 of 2016 on the file of the learned Principal Assistant Sessions Court, Tindivanam. The Trial Court found the petitioner guilty of the offences under Section 392 of IPC and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 392 IPC	to undergo rigorous imprisonment for a period of 10 years and to pay fine of Rs.10,000/-, in default to undergo simple imprisonment for 1 year.

Aggrieved by the same, the petitioner has filed this appeal along with the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that the petitioner has been falsely implicated in this case and in fact test identification parade was not conducted and there is no material against the petitioner to show that he had committed robbery. Further, 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. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition stating there are 10 previous cases pending against the petitioner. 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.

WEB COPY

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 petitioner/accused is 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 Principal Assistant Sessions Court, Tindivanam.

(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 respondent police on every Tuesday and Saturday at 10.30 a.m and also 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.



20-11-2025

pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Principal Assistant Sessions Court, Tindivanam.
2. The Inspector of Police,
Tindivanam Police Station,
Tindivanam, Villupuram District.
3. The Central Prison, Cuddalore.
4. The Public Prosecutor, High Court, Madras.



WEB COPY

CRL A No. 1756 of 2025



T.V.THAMILSELVI J.
pbl

**CRL MP NO. 21582 OF
2025
IN
CRL A No. 1756 of 2025**

20-11-2025