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CRL MP No. 21897 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21897 of 2025

IN

CRL A NO. 1772 OF 2025

CHEKKANDHAR

S/o . Abdul alim,
Savuk Road, Pernmabut, Guidyatham,
Pernambut Post Office, Vellore District.

Petitioner(s)

Vs

The State rep by The Inspector of
Police
Pernampet Police Station, Vellore
District. Crime No.94 of 2019.

Respondent(s)

PRAYER

To enlarge the petitioner on bail by suspending the sentences imposed in S.C.No.82 of 2021 dated 28.10.2025 passed by the learned I Additional District and Sessions Judge, Vellore

For Petitioner(s): Mr. T.Muruganantham

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

**ORDER**

WEB COPY This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of sentence imposed by the learned I Addl. District and Sessions Judge, Vellore, in S.C.No.82 of 2021 dated 28.10.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in S.C.No.82 of 2021 on the file of the learned I Addl. District and Sessions Judge, Vellore. He was found guilty of the offences under Section 324 of IPC/BNS and he has been convicted and sentenced to undergo rigorous imprisonment for 6 months and to pay a fine of Rs.20,000/-, in default, to undergo simple imprisonment for a period of one month. Aggrieved by the same, the petitioner had filed this appeal and consequently, he filed the present miscellaneous petition.

3. The learned counsel for the petitioner/accused would submit that he has been falsely implicated in this case as if he attacked the defacto complainant with deadly weapons. He would submit that he is in judicial custody from 28.10.2025 for more than one month and he is a disabled person. He would further 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.

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4. Per contra, the learned Government Advocate (Criminal Side) appearing for the respondent/State raised serious objection for allowing this petition. Further, he would contend that he has no bad antecedents and 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. On seeing the facts, it reveals that he is a disabled person and he is in judicial custody from 28.10.2025 for more than one month. Considering that and 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 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, **in which one surety must be a blood surety**, each for a like sum to the satisfaction of the **learned I Addl. District and Sessions Judge, Vellore.**

(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 as and when required, 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 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.

(d) the defacto complainant is permitted to withdraw the fine amount paid by the petitioner on filing necessary petition before the trial court.



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ordered.

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

19-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. I Addl. District and Sessions Judge, Vellore.

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

3. The Public Prosecutor, High Court,
Madras.



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T.V.THAMILSELVI J.

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(2/2)**