



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 26.11.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.No.22013 of 2025
in Crl.A.No.1780 of 2025**

Prabhu

...Petitioner

Versus

The State Rep. by
The Inspector of Police,
Orathur Police Station,
Sethiyathope Circle,
Cuddalore District.
(Crime No.87 of 2018)

...Respondent

Prayer:

This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 praying to suspend the sentence of imprisonment imposed upon the appellant by Judgment dated 16.10.2025 in S.C.No.71 of 2019 on the file of learned Sessions Judge, Mahila Court, Cuddalore and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.R.Thirumoorthy

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



WEB COPY



ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner seeking to suspend the sentence of imprisonment imposed on him by the learned Sessions Judge, Mahila Court, Cuddalore vide Judgment dated 16.10.2025 in S.C.No.71 of 2019 and enlarge him on bail pending disposal of the above Criminal Appeal.

2. The petitioner is an accused in S.C.No.71 of 2019 on the file of Mahila Court, Cuddalore. The petitioner/accused was found guilty for commission of offence under Section 294(b) of IPC and Section 4(B) of Tamil Nadu Prohibition of Harassment of Women Act, 1998. Therefore, the Trial Court vide Judgment dated 16.10.2025, convicted the petitioner/accused and sentenced him as follows:

S.No.	Offence	Punishment
1	Under Section 294(b) of IPC	To undergo 3 months simple imprisonment.
2	Under Section 4(B) of Tamil Nadu Prohibition of Harassment of Women Act, 1998	To undergo 7 years rigorous imprisonment and to pay a fine of Rs.50,000/-, in default, to undergo 1 year simple imprisonment.



Aggrieved by the said conviction and sentence, petitioner/accused has preferred the present Criminal Appeal.

3. The learned counsel for petitioner/accused submitted that the petitioner/accused has been under the judicial custody since 16.10.2025 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.

4. The learned Government Advocate (Crl.Side) appearing for respondent Police submitted that under the influence of alcohol, petitioner/accused had abused the deceased Pavalakkodi in filthy language and humiliated her, due to which, the said Pavalakkodi had set herself ablaze. This was proved beyond all reasonable doubt before the Trial Court. Hence, the learned Trial Judge had rightly convicted and sentenced the petitioner/accused under Section 294(b) of IPC and Section 4(B) of Tamil Nadu Prohibition of Harassment of Women Act, 1998. Therefore, the learned Government Advocate (Crl.Side) submitted that he has serious objection for granting bail to the petitioner/accused.



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

6. 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.

7. Accordingly, till the disposal of the Criminal Appeal, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) The petitioner/accused shall deposit a sum of Rs.30,000/- (Rupees Thirty Thousand only) to the credit of S.C.No.71 of 2019 on the file of Mahila Court, Cuddalore, within a period of two weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically vacated;

(ii) On such deposit being made, P.W.1 (husband of deceased Pavalakkodi) is permitted to withdraw the amount of Rs.30,000/- deposited by the petitioner/accused in S.C.No.71 of 2019 on the file of Mahila Court, Cuddalore, on proper identification, in the manner known to law;



WEB COPY



(iii) If the petitioner/accused fails to deposit the aforesaid amount, it is open to the Trial Court to commit the petitioner/accused into custody for undergoing the sentence;

(iv) The sentence of imprisonment imposed on the petitioner/accused shall be suspended and the petitioner/accused shall be released on bail on condition that he shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties (out of which, one surety should be blood surety), each for a likesum to the satisfaction of Trial Court;

(v) 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;

(vi) The petitioner/accused shall appear before the respondent Police on every Saturday at 10.30 a.m. and also, he shall appear before the Trial Court on the first working day of every English Calendar month at 10.30 a.m., till the disposal of 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 his absence, as directed by the Trial Court; and



(vii) The petitioner/accused shall not have any communication with P.W.1 (husband of deceased Pavalakkodi).

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

26.11.2025

mrr

Index: Yes/No

Speaking Order (or) Non-Speaking Order

Note: Registry is directed to list CrI.A.No.1780 of 2025 for hearing on 18.03.2026.

To

1.The Sessions Judge,
Mahila Court, Cuddalore

2.The Inspector of Police,
Orathur Police Station,
Sethiyathope Circle,
Cuddalore District.

3.The Superintendent,
Central Prison,
Cuddalore.

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



T.V.THAMILSELVI, J.

mrr

Crl.M.P.No.22013 of 2025
in Crl.A.No.1780 of 2025

26.11.2025