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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

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THE HON'BLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 22768 OF 2025

AND

CRL A No. 1831 of 2025

Appukutty @ Sathish Kumar
S/o.Babu,
Kulathur Mettu Street,
Muthu Mandabam,
Vellore, Vellore District.

..Appellant(s)

Vs

The State Rep by,
The Inspector of Police,
Vellore North Police Station (L and O),
Vellore District. Cr.No.157/2015.

..Respondent(s)

To suspend the sentence imposed in SC No.178/2015 on the file of the Learned Additional District Judge (Fast Track Court), Vellore and enlarge the petitioner on bail, pending disposal of the above Criminal Appeal.

For Appellant(s):	Mr. C.S. Saravanan
For Respondent(s):	Mr.V.Meganathan, Govt. Advocate (Crl. Side)

Order

This Criminal Miscellaneous Petition has been filed by the petitioner



seeking suspension of sentence imposed by the learned Addl. District Judge (Fast Track Court), Vellore, in S.C.No.178 of 2015 dated 17.10.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in S.C.No.178 of 2015 on the file of the learned Addl. District Judge, (Fast Track Court), Vellore. He was found guilty of the offences under Section 326 of IPC/BNS and he has been convicted and sentenced to undergo simple imprisonment for a period of three years and to pay a fine of Rs.1000/-, in default to undergo simple imprisonment for a period of three months. 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 along with A2 attacked the defacto complainant with deadly weapons and abused him. He would further submit that there are arguable points available in the Criminal Appeal and the petitioners/accused have 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. 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 fact that on the date of occurrence, there was a wordy quarrel between the petitioner and the defacto complainant, as a result of which, both attacked each other, thereby caused simple injuries and the fine amount was paid and also 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 Addl. District Judge (Fast Track Court), 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 respondent police on every Sunday at 10.30 a.m. for the period of eight weeks and also directed to 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 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.

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



27-11-2025

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To

1. Addl. District Judge (Fast Track Court), Vellore
2. The Inspector of Police, Vellore North Police Station (L and O), Vellore District.
3. The Public Prosecutor, High Court, Madras



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CRL MP No. 22768 of 2



T.V.THAMILSELVI J.

RPP

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**27-11-2025
(2/2)**