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CrI.M.P.No.23055 of 2025
in CrI.A.No.1864 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.M.P.No.23055 of 2025

in

CrI.A.No.1864 of 2025

1. Mahendrabalu

2. Dhanapal

... Petitioners /Appellants

Vs.

The State Rep. by
The Inspector of Police,
Velampalayam Police Station,
Tiruppur.
Crime No.364 of 2023

... Respondent / Respondent

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430 of BNSS praying to suspend the sentence imposed in judgment and conviction passed in S.C.No.246 of 2024 on the file of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur dated 20.11.2025.

For Petitioners : Mr.P.Thinesh

For Respondent : Mr.S.Rajakumar
Additional Public Prosecutor



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ORDER

The petitioners have preferred the above appeal challenging the judgement dated 20.11.2025 passed in S.C.No.246 of 2024 by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur, convicting the petitioners for the alleged offences under Section 307 (2 counts) of IPC and sentencing them to undergo rigorous imprisonment for seven years for each count, and to pay a fine of Rs.10000/- and in default to suffer simple imprisonment for six months for each count.

2. The instant petition has been filed seeking suspension of sentence imposed by the trial Court, pending the appeal.

3. The learned counsel for the petitioners/appellants submitted that the trial Court had erroneously convicted the petitioners/appellant for the aforesaid offences; that the prosecution has not established its case beyond reasonable doubt; that the witnesses have suppressed the manner in which the occurrence took place; and that there are several arguable points in the above appeal, which requires consideration and hence prayed for suspension of sentence.



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4. Heard the learned Government Advocate (Crl. Side) appearing for the respondent.

5. Considering the submissions made by the learned counsel appearing for the petitioners/appellants, the judgment impugned and the materials on record, this Court is of the view that the petitioners/appellant have raised substantial grounds which require consideration in the appeal. The appeal is not likely to be taken up in the near future. Hence, this Court is inclined to grant the relief of suspension of sentence to the petitioners/appellants

6. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioners/appellants is suspended till the disposal of the above criminal appeal and the petitioners/appellants is ordered to be released on bail on the following conditions:

- (i) Each of the petitioners shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur;
- (ii) The petitioners and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court



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may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and

(iii)The petitioners shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal and if they 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 their absence, as directed by the Trial Court.

08.12.2025
(2/2)

Issue order copy by 18.12.2025
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SUNDER MOHAN, J.

sma/ars

To

1.The Sessions Judge, Special Court for Trail of Cases under SC/ST (POA)
Act, Tiruppur.

2.The Inspector of Police,
Velampalayam Police Station,
Tiruppur.

3.The Superintendent of Prisons,
Central Prison,
Coimbatore.

4.The Public Prosecutor,
High Court, Madras.

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08.12.2025