



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22797 of 2025 in CrI.A.No.483 of 2025

1. Abbas

S/o. Kaja Moideen, No.32,
Devakiammal Street, Kumaran Nagar,
Kolathur, Chennai - 600 099.

Petitioner(s)

Vs

1. The State Represented by
The Inspector of Police, K-3,
Aminjikarai Polices Station, Chennai.
Crime No.88 of 2021

Respondent(s)

PRAYER

To suspend the sentence imposed on the Petitioner/Appellant 2 by the Learned XIX Additional Judge, City Civil Court, Chennai, dated 29.04.2025 made in S.C.No.243 of 2022 and enlarge the Petitioner/Appellant 2 on bail pending disposal of the above Criminal Appeal on the file of this Honble Court and thus render Justice.

For Petitioner(s): M/s.P.Govindarajan
 B.Balamurigan
 A.Arun Kumar



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

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed on the Petitioner/Appellant 2 by the Learned XIX Additional Judge, City Civil Court, Chennai, dated 29.04.2025 made in S.C.No.243 of 2022 and enlarge the Petitioner/Appellant 2 on bail pending disposal of the above Criminal Appeal.

2. The petitioner herein is the accused in S.C.No.243 of 2022 on the file of the Learned XIX Additional Judge, City Civil Court, Chennai, . He was found guilty of the offence under Sections 307 and 452 of IPC and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 307 IPC	To undergo simple imprisonment for a period of 5 years and to pay fine of Rs.1,000/- in default to undergo simple imprisonment for 6 months. To undergo simple imprisonment for a period of 3
	Section 452 of IPC	years and to pay fine of Rs.500/- in default to undergo simple imprisonment for 3 months.

Challenging the same the petitioner has filed the present petition.



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3. The learned counsel for the petitioner/accused would 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.

4. The learned Government Advocate appearing for the respondent submitted that the evidence 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 both sides and perused the materials available 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, 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 reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the Learned XIX Additional Judge, City Civil Court, Chennai,.

(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.



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(c) The petitioner shall appear before the Trial Court on every Tuesday 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 355 of BNSS, 2023. 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

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To.

1. The learned XIX Additional Judge, City Civil Court, Chennai
2. The Inspector of Police, K-3, Aminjikarai Polices Station, Chennai.
3. The superintendent Central Prison -1, Puzhal, Chennai.
4. The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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