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CRL MP No. 22645 of 2



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. 22645 OF 2025

AND

CRL A No. 1819 of 2025

SAMRAJ

S/o.Chinnaraj,

Kuttaiyur, Kathari,

Natrampalli Taluk,

Tirupathur district

..Appellant(s)

Vs

State rep by the Inspector of Police

Thimmampet Police Station,

Tirupathur District

Cr.No.33/2017

..Respondent(s)

To suspend the sentence imposed against the petitioner in S.C.No.85/2024 on the file of the Learned Sessions Division of Tirupathur, Tirupathur District dated 24.09.2025 and enlarge the petitioner on bail, pending disposal of the said Crl.A.No. 1819 of 2025 on the file of this court

For Appellant(s):

Mr.E.Kannadasan

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 Sessions Division of Tirupattur, Tirupattur District, in S.C.No.85 of 2024 dated 24.09.2025, and enlarge the petitioner on bail pending disposal of the above appeal.

2. The petitioner herein is the accused in S.C.No.85 of 2024 on the file of the learned Sessions Division of Tirupattur, Tirupattur District. He was found guilty of the offences under Section 324 and 307 of IPC/BNS and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 324 of I.P.C.	to undergo rigorous imprisonment for a period of one year and to pay fine of Rs.1000/-, in default to undergo simple imprisonment for three months.
2	Section 307 of IPC	to undergo rigorous imprisonment for a period of 5 years and to pay fine of Rs.50,000/-, in default to undergo simple imprisonment for 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. He would further submit that he is in judicial custody from 24.09.2025 for more than two months. 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 both are close relatives and there was a dispute between them with regard to a common pathway 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 both the petitioner, A2 and defacto complainant are brothers and due to a dispute with regard to common pathway between them, there was a wordy quarrel on that day and he is in judicial custody from 24.09.2025 for more than two months and already fine amount was paid. 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 Sessions Division of Tirupattur, Tirupattur District.**

(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 Saturday at 10.30 a.m. for the period of two months and he shall also 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 he shall not**



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have any communication with the defacto complainant 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 fine amount is ordered to be paid to two victims equally within a period of two weeks from the date of receipt of copy of this order;

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

27-11-2025

RPP

To

1. Sessions Division of Tirupattur, Tirupattur District
2. Inspector of Police, Thimmampet Police Station, Tirupathur District
3. The Superintendent of Prison, Central Prison, Vellore.
4. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

RPP

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(2/2)**