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CrI.M.P.No.23764 of 2025 in CrI.A.No.1895 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 16.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

CrI.M.P.No.23764 of 2025
in CrI.A.No.1895 of 2025

1. Palanisamy
2. Sakthivel
3. Shanmugam
4. Tractorkarar @Vellingiri
5. Marankattu Rasu @Duraismay
6. Seethalakshmi ... Petitioners/Accused 1, 4, 6, 7, 9 & 26

Vs.

1. The State Represented by The Deputy Superintendent of Police,
Avinashi, Tiruppur District
(Sevoor Police Station – Cr No.187/2018)
2. State Rep. By the Sub-Inspector of Police,
Sevoor Police Station, Tiruppur District.
(Sevoor Police Station – Cr.No.187/2018)
3. Pappal ... Respondents

Prayer: Criminal Miscellaneous Petition filed under Section 14A(i) of the Scheduled Castes and the Scheduled Tribes (Prevention of Atrocities) Act, 1989 r/w Section 415 of the BNSS, 2023 against the Judgment dated 28.11.2025 passed in Spl.SC.No.6 of 2024 on the file of the Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur.

For Petitioners

: Mr.A.Govi Ganesan



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For R1 & R2

: Mr.S.Balaji,
Government Advocate (Crl.Side)

For Defacto complainant : Mr.B.Mohan

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of the sentence imposed on the petitioners/accused by judgment and order dated 28.11.2025 passed in Spl SC.No.6 of 2024 on the file of the learned Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur, pending disposal of the appeal.

2. It is the case of the prosecution that, due to previous enmity, the petitioners, along with other accused abused the defacto complainant in filthy language and intimidated her. Hence, the case.

3. The petitioners/accused in Spl S.C.No.6 of 2024 was convicted by the Trial Court by judgment dated 28.11.2025 and sentenced to undergo rigorous imprisonment for a period of two years and to pay a fine of Rs.5,000/-, in default to undergo three months simple imprisonment for the offences punishable under Sections 3(2)(va), 3(1)(za)(E) and 3(1)(zc) of the SC/ST (POA) Act. Aggrieved by the same, the petitioners/accused filed Crl.A.No.1895 of 2025 along with the instant



miscellaneous petition seeking suspension of sentence and bail.

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4. The learned counsel for the petitioners would submit that the petitioners are innocent and they have been falsely implicated in this case and prayed for suspension of the sentence imposed on the petitioners.

5. The learned Government Advocate (crl.side) appearing for the respondent, per contra, opposed the grant of suspension of sentence to the petitioners on the ground that the prosecution has established its case beyond reasonable doubt, and hence, the petition is liable to be dismissed.

6. Mr.B.Mohan, the learned counsel appeared on behalf of the third respondent/ defacto complainant and undertook to file vakalat. He vehemently opposed the grant of suspension of sentence, reiterating that the prosecution has established the case beyond reasonable doubt.

7. Heard the learned counsel for the petitioners as well as the learned Government Advocate (crl.side) appearing for the respondents and perused the record.



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8. Considering the fact that there are several arguable points in the above appeal, which require consideration; the fact that the Trial Court had suspended the sentence for a period of one month; and the fact that the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioners.

9. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioners is suspended and the petitioners are ordered to be released on bail on the following conditions:

(i) The petitioner/accused is ordered to be released on bail, on their executing a separate bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each, in which one surety must be a blood surety, for a like sum to the satisfaction of the learned Learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur;

(ii) 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

(iii) The petitioner shall 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



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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.

16.12.2025

skr

Issue order copy by 17.12.2025.

Upload the order copy forthwith.

To

1. Learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Tiruppur.
2. The Sub-Inspector of Police, Sevoor Police Station, Tiruppur District.
3. The Deputy Superintendent of Police, Avinashi, Tiruppur District.
4. The Public Prosecutor, Madras High Court.



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SUNDER MOHAN, J.
skr

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