



Crl.M.P.No.23958 of 2025
in Crl.A.No.1908 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 15.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.23958 of 2025

in

Crl.A.No.1908 of 2025

Kongan

... Petitioner /Appellant

Vs.

The State Rep. by
The Inspector of Police,
Kattur Police Station,
Tiruvallur District.
Crime No.95 of 2013

... Respondent / Respondent

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430(1) r/w 483 of BNSS praying to suspend the sentence imposed on the petitioner by the learned Principal Sessions Judge, Tiruvallur, in S.C.No.197 of 2015 dated 27.10.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner	: Mr.T.Kathiravanan
For Respondent	: Mr.S.Balaji, Government Advocate (Crl. Side)



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 27.10.2025 passed in S.C.No.197 of 2015 by the learned Principal Sessions Judge, Tiruvallur, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/A2 has been convicted and sentenced by the learned Trial Judge as follows:-

Accused	Conviction under Sections	Sentence awarded
A2	324 r/w 34 IPC	To undergo rigorous imprisonment for three years and to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for six months.
	352 r/w 34 IPC	To undergo rigorous imprisonment for three months.
	506(ii) IPC	To undergo rigorous imprisonment for one year.
	3 of the Tamil Nadu Property (Prevention of Damage and Loss Act) r/w 34 IPC	To undergo rigorous imprisonment for three years and to pay a fine of Rs.5,000/- and in default to undergo simple imprisonment for three months.



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3. Aggrieved by the same, he filed Crl.A.No.1908 of 2025 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

4. The learned counsel for petitioner would submit that he has raised substantial grounds in the appeal.

5. Heard the learned counsels on either side and perused the materials available on record.

6. Considering the fact that there are substantial grounds raised in the above appeal, which requires consideration and since 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 petitioner.

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



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- (i)The petitioner 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 Judicial Magistrate No.2, Ponneri;
- (ii)The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
- (iii)The petitioner 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 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.

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To

- 1.The Judicial Magistrate No.2, Ponneri.
- 2.The Principal Sessions Judge, Tiruvallur,
- 3.The Inspector of Police,
Kattur Police Station,
Tiruvallur District.
- 4.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

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**15.12.2025
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