



CrI.MP.(MD).No.750 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 22.01.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

CrI.MP.(MD).No.750 of 2025

and

CrI.A(MD)No.59 of 2025

1.Angamuthu

2.Arumugam

3.Sellamuthu

... Petitioners

Vs.

The Inspector of Police,
Edayakottai Police Station,
Dindigul District.

... Respondent/Respondent

PRAYER : Petition filed under Section 430 of BNSS, praying to enlarge the petitioners on bail by suspending the sentence imposed in S.C.No.43 of 2020 by the Additional District Court (Fast Track Court), Palani, dated 20.12.2024.

For Petitioners : Mr.D.Venkatesh

For Respondent : Mr.M.Sakthi Kumar
Government Advocate (CrI. Side)



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence passed in S.C.No.43 of 2020 by the Additional District Court (Fast Track Court), Palani, dated 20.12.2024 and enlarge the petitioners on bail till the disposal of this Criminal Appeal.

2.The case of the prosecution is that on 25.04.2017, at about 08.00 a.m., when the defacto complainant and his father were closing their tea shop, at that time, the petitioners and other accused persons came to the shop and questioned the defacto complainant about not closing of the shop during protest, and subsequently, they had taken the bottles from their shop and throw the bottles and broke them and caused damage to the shop and closed their shop. Hence, the defacto complainant lodged a complaint before the respondent Police.

3.On receipt of the complaint, the respondent Police registered a case in Crime No.48 of 2017 for the offence under Sections 148, 188 and 506(i) of IPC and Section 3 (1) of TNPPDL Act, against the petitioners. The respondent Police, after completing the investigation has filed the final report and the same was taken on file in S.C.No.43 of 2020,by the learned Additional District Court, (Fast Track Court), Palani.

4.During the trial, the prosecution has examined 7 witnesses as P.W.1 to P.W.7



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and exhibited 13 documents as Ex.P.1 to Ex.P.13 and one material object was marked as M.O.1. On the side of the defence, neither a witness was examined nor a document was exhibited.

5.The learned Additional District Court, (Fast Track Court), Palani, after full-fledged trial has passed the judgment in S.C.No.43 of 2020, dated 20.12.2024, and convicted the petitioners/accused for the offence under Section 143 of IPC and sentenced them to undergo six months Simple Imprisonment and to pay a fine of Rs.1,000/- each in default to undergo one month simple imprisonment and further convicted them under Section 3(1) of TNPPDL Act, and sentenced them to undergo one year Simple Imprisonment and to pay a fine of Rs.10,000/- each in default to undergo three months simple imprisonment. Aggrieved over the above said conviction and sentence, imposed by the Courts below, the petitioner preferred the present Criminal appeal along with the present Miscellaneous Petition seeking for suspension of sentence.

6.The learned counsel for the petitioners submitted that the sentence imposed on the petitioners was suspended by the trial Court in Cr.M.P.No.71 of 2024, till 19.01.2025. Hence, he seeks the suspension of sentence of imprisonment in favour of the petitioners.

7.The learned Government Advocate (Crl. Side) appearing for the respondent



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Police submitted that there are enough materials available on record against the petitioners and hence, he strongly opposed this petition.

8.This Court considered the rival submission made by the learned counsel appearing on either side and perused the materials available on records.

9.Considering the facts and circumstances of the case and also considering the fact that the sentence imposed on the petitioners was suspended by the trial Court in Cr.M.P.No.71 of 2024, till 19.01.2025 and there was no antecedent against the petitioners and there are some arguable points involved in the criminal appeal, the petitioners are entitled to the relief of grant of suspension of sentence.

10.Accordingly, the relief of suspension of sentence is granted to the petitioners on the following conditions:-

(i) The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Additional District Court (Fast Track Court), Palani,;

(ii)The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of his Aadhar card or Bank Pass Book to ensure their identity; and



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(*)(iii).The petitioners shall appear before the trial Court once in a month ie., on first working day of every English Calendar Month at 10.30 a.m., till the disposal of the appeal.

sd/-
22/01/2025

(*)Corrected as per Order of this Hon'ble Court
dt.06/02/2025 in Crl.MP(MD).750/2025 in
Crl.A(MD).59/2025.

/ TRUE COPY /

/03/2025
Sub-Assistant Registrar
(C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

vsg

TO BE SUBSTITUTED WITH THE ORDER DT.22/01/2025 IS ALREADY
DESPATCHED
TO

1 THE ADDITIONAL DISTRICT JUDGE (FAST TRACK COURT),
PALANI.

2 THE INSPECTOR OF POLICE,
EDAYAKOTTAI POLICE STATION,
DINDIGUL DISTRICT.

3 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT,
MADURAI.

+1 CC to M/s.D.VENKATESH, Advocate (SR-628[I] dated 22/01/2025)



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ORDER
IN
Crl.MP.(MD).No.750 of 2025
and
Crl.A(MD)No.59 of 2025
Date :22/01/2025

RS/GSV/SAR-(30.01.2025) 6P 5C
VSG

SA/VR/SAR. /13.03.2025/6P/5C

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