



WEB COPY



Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 06.02.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

1.Raju Kishku
2.Mokim Ansari

... Petitioners /Appellants/
Accused 2 & 3

Vs.

State by;
Inspector of Police,
T-12, Poonamallee Police Station,
Tiruvallur Dt.
Crime No.1062 of 2017

... Respondent / Respondent

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430(1) of BNSS to suspend the sentence passed by the learned III Additional District and Sessions Court Tiruvallur at Poonamallee, and made in S.C.No.81 of 2018 by judgement dated 25.11.2025, and may be pleased to enlarge the petitioners on bail till the disposal of the above mentioned Criminal Appeal No. 134 of 2026.

For Petitioners : Mr.S.Asokan

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



WEB COPY



Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioners by judgment dated 25.11.2025 passed in S.C.No.81 of 2018 by the learned III Additional District and Sessions Court, Tiruvallur at Poonamallee, pending disposal of the above criminal appeal and enlarge the petitioners on bail.

2. The petitioners/accused in S.C.No.81 of 2018 were convicted by the Trial Court by judgment dated 25.11.2025, for the offences under Section 201 IPC and sentenced to undergo 2 years and 6 months rigorous imprisonment for the offence under Section 201 IPC. Aggrieved by the same, they have filed Crl.A.No.134 of 2026 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

3.The case of the prosecution is that the petitioners had aided the first accused who is guilty of the offences under Section 304 (II) & 201 IPC by screening the offences and thus committed the offences under Section 201 IPC.



WEB COPY



Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

4. The learned counsel for petitioners would submit that he has raised substantial grounds in the appeal, which requires consideration.

5. The learned Government Advocate (Crl. Side) would submit that the petitioners are from West Bengal and hence, stringent condition may be imposed.

6. Considering the fact that there are substantial grounds raised in the above Appeal, which requires consideration and that the first petitioner was in custody for 296 days and the second petitioner was in custody for 577 days during trial and are in custody from 25.11.2025, 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 petitioners.

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



Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

- (i) The petitioners shall each execute a bond for a sum of Rs.10,000/-, with two sureties (one surety shall be a resident of Poonamalle, Chennai) each for a like sum to the satisfaction of the learned III Additional District and Sessions Court Tiruvallur at Poonamallee;
- (ii) The petitioners 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 petitioners shall appear before the respondent police twice in a month at 10.30 a.m. until the disposal of the Appeal;

8. Accordingly, this Criminal Miscellaneous Petition is ordered.

06.02.2026
(2/2)

Tsg

Note: Issue order copy on 06.02.2026

To

1. The III Additional District and Sessions Court,
Tiruvallur at Poonamallee.
2. The Inspector of Police,
T-12, Poonamallee Police Station,
Tiruvallur Dt.



Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

WEB C 3.The Central Prison, Puzhal.

4.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

SUNDER MOHAN, J.

Tsg

Crl.M.P.No.1967 of 2026
in Crl.A.No.134 of 2026

06.02.2026