



Crl.M.P.No.6120 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.04.2026

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA

Crl.M.P.No.6120 of 2026
in Crl.A.No.409 of 2026

1. Manigandan
2. Surya

... Petitioners

Vs.

The State represented by,
The Inspector of Police,
Bagayam Police Station,
Vellore District.
(Crime No.320 of 2018)

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence imposed against the petitioners dated 13.10.2025 in S.C.No.163 of 2022 on the file of the I Additional District and Sessions Court, Vellore.

For Petitioners : Mr.D.Balaji

For Respondent : Ms.J.R.Archana
Government Advocate (Criminal Side)

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned I Additional District and Sessions Judge, Vellore, in S.C.No.163 of 2022, vide judgment dated 13.10.2025.



2. The conviction and sentence imposed against the petitioners/appellants, vide impugned judgment are as follows:-

<i>Under Section</i>	<i>Sentence</i>
3(1) of the Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992	one year rigorous imprisonment and fine of Rs.5,000/-, in default, to undergo one month simple imprisonment.

3. The submissions of the learned counsel appearing for the petitioners/appellants are as follows:-

3.1. The petitioners/appellants are innocent and they are no way connected with the case.

3.2. There are arguable points available in the Criminal Appeal, which is unlikely to be taken up for final hearing in the near future and the petitioners/appellants have a fair chance of succeeding in the appeal.

3.3. The second petitioner has been suffering incarceration in the Central Prison, Vellore. Hence, the sentence imposed on the petitioners/appellants may be suspended and they may be enlarged on bail.

4. Learned Government Advocate (Criminal Side) appearing for the respondent opposed for grant of suspension of sentence stating that



the petitioners/appellants intercepted the Government bus, abused the driver and by pelting stones at the windshield of the bus and caused damage assessed at Rs.8,300/-. She further submitted that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioners/appellants guilty and convicted and sentenced them, as stated above. She also submitted that seven previous cases registered against the first petitioner were disposed of and two out of three previous cases are pending against the second petitioner.

5. Heard the learned counsel for the petitioners/appellants and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials on record including the counter filed by the respondent police.

6. Considering the facts and circumstances of the case and also the submissions made by the learned counsel on either side, this Court is of the view that the sentence of imprisonment can be suspended and the petitioners/appellants can be granted bail on certain conditions. Accordingly, pending disposal of the appeal, the sentence is suspended and the petitioners/appellants are enlarged on bail, subject to the following conditions:-



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“(i) The petitioners/appellants shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties, each for a like sum to the satisfaction of the learned I Additional District and Sessions Judge, Vellore;

(ii) The petitioners/appellants shall appear before the trial Court on the first working day of every English calendar month at 10.30 a.m., until further orders.”

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

15.04.2026

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To

1. The I Additional District and Sessions Judge, Vellore.
2. The Inspector of Police, Bagayam Police Station, Vellore District.
3. The Superintendent, Central Prison, Vellore.
4. The Public Prosecutor, High Court of Madras.

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A.D.JAGADISH CHANDIRA, J.

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***15.04.2026
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