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Crl.M.P.No.7996 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 15.06.2026

CORAM:

THE HON'BLE MR. JUSTICE C.SARAVANAN

Crl.M.P.No.7996 of 2026

in

Crl.A.No.577 of 2026

Shankar Singh, S/o Thilok Singh,
Door No.3/144, Arunthathiyar Street, VTC
Irrukur, Paramathi Velur, Namakkal District.

... Petitioner/Appellant

Vs.

State: Represented by
The Inspector of Police,
Rayakottai Police Station,
Krishnagiri and District,
(Crime No.249 of 2022)

... Respondent/Complainant

PRAYER: Criminal Miscellaneous Petition is filed under Section 430 and 483 of the Bharatiya Nagarik Suraksha Sanhita, 2023, (BNSS), praying to suspend the sentenced imposed on the petitioner by the Learned Assistant Sessions Judge, Denkanikottai, Krishnagiri made in S.C.No.121 of 2023, dated 28.04.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.S.Panneer Selvan

For Respondent : Mr.M.Mohamed Riyaz
Government Advocate (Criminal Side)



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ORDER

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This Criminal Miscellaneous Petition has been filed by the petitioner seeking suspension of the sentence imposed by the learned Assistant Sessions Judge, Denkanikottai, Krishnagiri, in S.C.No.121 of 2023, by judgement dated 28.04.2025 and to enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

2. By the Impugned Judgment, the Trial Court convicted the Petitioner/Appellant and sentenced him as follows:

Sl. Nos.	Offence Under Section	Conviction and Sentence	Fine amount
1	Under Section 451 of IPC	Simple Imprisonment for a period of seven years (in default, to further undergo simple imprisonment for six months)	5,000/-
2	Under Section 392 r/w 397 of IPC	Rigorous Imprisonment for a period of ten years (in default, to further undergo Simple Imprisonment for six months)	10,000/-

In all, the petitioner/ accused has been convicted and sentenced to undergo imprisonment ranging from seven to ten years, and the sentences are ordered to run concurrently.

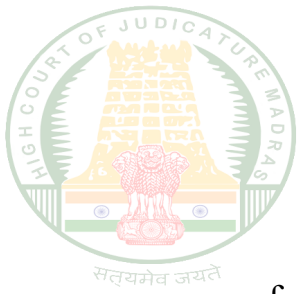


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3. The petitioner is A1 is Crime No.249 of 2022. The alleged occurrence took place on 22.12.2022. The case of the prosecution before the Trial Court, which was accepted by the Trial Court, was that accused Nos.1 and 2 had used a knife and snatched the key from PW4, the wife of PW3, the defacto complainant, and robbed them of cash and jewellery. The learned counsel for the petitioner submitted that the conviction has been imposed purely based on the photographs, without conducting any identification parade, and that PW3 merely identified the accused based on the photographs. It is further submitted that though the FIR was marked, the prosecution case suffers from inconsistencies.

4. Having considered the facts and circumstances of the case and also the submissions made by the learned counsel on either side, and taking note of the fact that A3 has already been granted the benefits of suspension of sentence by order dated 24.07.2025 in Crl.M.P.No.10116 of 2025 in Crl.A.No.519 of 2025, this Court is also inclined to suspend the sentence of imprisonment imposed on the petitioner.

5. Accordingly, pending disposal of the appeal, the sentence imposed on the Petitioner/Appellant/A1 is suspended and the petitioner / Appellant / A1 shall be enlarged on bail, subject to the following conditions:-



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(i) The petitioner/Appellant/A1 shall an own bond for a sum of Rs.25,000/- with two sureties, each for a likesum of the satisfaction of the Trial Court;

(ii) The Petitioner/Appellant and the sureties shall affix their photographs and Left Thumb Impressions 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/Accused shall appear before the Trial Court daily for a period of 30 days thereafter on the first worming day of every English Calendar 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 355 of BNSS, 2023 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.

6. Accordingly, the Criminal Miscellaneous Petition stands ordered.

7. List the main case on 05.10.2026.

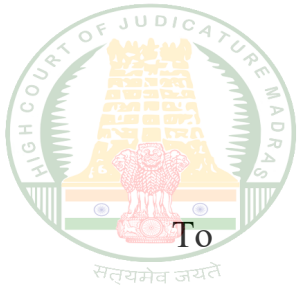
15.06.2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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To

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1. The learned Assistant Sessions Judge,
Denkanikottai, Krishnagiri
2. The Inspector of Police,
Rayakottai Police Station,
Krishnagiri and District,
3. The Central Prison,
Salem.
4. The Public Prosecutor,
High Court of Madras.



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