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CRL MP No. 8296 of 2026 in
Crl.A.No.613 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

**CRL MP No. 8296 of 2026 in
CRL A NO. 613 OF 2026**

Sathiyaraj
S/o.Natarajan,
Mariamman Koil Street,
Nakkalmedu,
Omiper Post, Vanur Taluk,
Villupuram District.

..Petitioner(s)

Vs.

State of Tamilnadu
Represented by Inspector of Police
Bramadesam Police Station,
Villupuram District.
Cr.No. 123/2024.

..Respondent(s)

Prayer : Criminal Miscellaneous Petition is filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence imposed against the petitioner dated 7.4.2026 in S.C.No.38 of 2025 on the file of learned II Additional District and Sessions Court, Tindivanam .

For Petitioner(s):

Mr.M.Devaraj

For Respondent(s):

Mr.A.Damodaran
Addl.Public Prosecutor



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ORDER

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This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned II Additional District and Sessions Court, Tindivanam in S.C.No.38 of 2025, vide judgment dated 07.04.2026.

2. The conviction and sentence imposed against the petitioner/appellant, vide impugned judgment is as follows:-

<i>Under Section</i>	<i>Sentence</i>
307 of I.P.C.	four years rigorous imprisonment and fine of Rs.500/-, in default, to undergo three months rigorous imprisonment.

3. The case of the prosecution is that the petitioner is having agricultural land near the land of PW2 Anbazhagan and one day, he used the cellphone of accused to call his wife P.W.1 Prabavathi, using that number, the accused contacted P.W.1 Prabavathi and while she was going to her land, he waylaid and harassed her. Since it was questioned by P.W.2, the accused developed enmity and committed the offence under Sections 294(b), 323, 506(ii) and 307 IPC.



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4. The submissions of the learned counsel appearing for the petitioner/appellant is as follows:-

4.1. The petitioner/appellant is an innocent and he is no way connected with the case.

4.2. 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 petitioner/appellant has a fair chance of succeeding in the appeal and he has been suffering incarceration in the Central Prison, Cuddalore. Hence, the sentence imposed on the petitioner/appellant may be suspended and he may be enlarged on bail.

5. Learned Additional Government Pleader appearing for the respondent opposed for grant of suspension of sentence stating that due to previous enmity, on 14.02.2024 at about 10.45 P.M., the accused attacked PW2/Anbazhagan, while he was sleeping in his agricultural field. The accused assaulted P.W.2 with a stick causing fracture injuries and thereafter threatened to kill him. He further submitted that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioner/appellant guilty and convicted and sentenced him, as stated above.



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6. Heard the learned counsel for the petitioner/appellant and the learned Additional Government Pleader appearing for the respondent and perused the materials on record.

7. Considering the facts and circumstances of the case and having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above Appeal which require consideration, this Court is of the view that the sentence of imprisonment alone can be suspended and the petitioner/appellant can be granted bail on following conditions.

(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, Tindivanam;

(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



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(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.

8. Accordingly, the Criminal Miscellaneous Petition stands ordered.

06-05-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No
KKD/ssd

To

1. II Additional District and Sessions Court, Tindivanam .
2. Judicial Magistrate No.II, Tindivanam.



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L.VICTORIA GOWRI, J.

KKD/ssd

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**06.05.2026
(2/2)**