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CRL MP No.8808 of 2026
in CRL.A.NO.646 of 2026



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-05-2026

CORAM

THE HON'BLE MRS.JUSTICE R.SAKTHIVEL

CRL MP No.8808 of 2026

IN

CRL.A.NO.646 of 2026

Giri @ Rajeshwaran
S/o.Mahalingam,
Layankarai, Onbathuveli,
Budalur Taluk,
Thirukattupalli,
Thanjavur District.

... Petitioner / Appellant

Vs

1. State rep. by,
The Assistant Commissioner of Police,
Kattoor Range,
Coimbatore District.
Crime No.1159 of 2019.

2. Stephen
S/o.Arokiyasamy,
No.62/18, Elango Nagar,
New Siddapudur,
Coimbatore District.

..Respondents/
Respondents

Prayer : Criminal Miscellaneous Petition is filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, 2023, praying to suspend the sentence imposed in Spl.S.C.No.65 of 2023 dated 08.05.2026 on the file of Learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore and enlarged the petitioner on bail pending disposal of Criminal Appeal before this Court.



For Petitioner(s):

Mr.N.Arun Kumar

WEB COPY For Respondent(s):

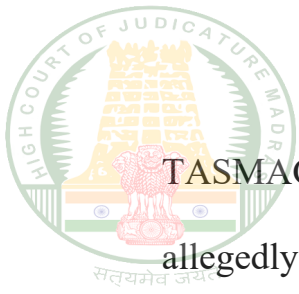
Mr.C.R.Malarvannan
Government of Tamil Nadu
(Criminal Side) for R1

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 08.05.2026 passed in Spl.S.C.No.65 of 2023 by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore, pending disposal of the above criminal appeal, and to enlarge the petitioner on bail.

2. The petitioner / A2 was convicted by the trial Court in Spl.S.C.No.65 of 2023, by judgment dated 08.05.2026, for offence under Section 324 IPC read with Section 34 IPC, and sentenced to undergo Rigorous Imprisonment for three years and to pay a fine of Rs.5,000/-, in default to undergo six months Simple Imprisonment. Aggrieved by the same, the petitioner preferred an appeal before this Court in Crl.A.No.646 of 2026, along with a miscellaneous petition seeking suspension of sentence and grant of bail.

3. The case of the prosecution is that, on 15.09.2019 at about 09.30 p.m., while the deceased, Jana @ Manikandan, was consuming liquor in the



TASMAC Shop No.1720, situated at Nehru Street, Gandhipuram, a quarrel allegedly arose between the accused and the deceased with respect of the sale of cigarettes for Rs.145/- instead of Rs.10/-. During the course of the occurrence, A1 allegedly assaulted the deceased with iron rod. A2 assaulted him with a wooden log and A3 and A4 assaulted him with their hands and legs, causing injuries. Thereafter, the deceased fell down near Arasu Medical and was taken to the hospital by P.W.1, where he later died due to the injuries sustained in the occurrence. Hence the case.

4. The learned counsel for the petitioner submits that the Petitioner / appellant was convicted by the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore, vide judgment dated 08.05.2026 in Spl.S.C.No.65 of 2023. He further submits that the Petitioner filed a petition under Section 430 of the BNS seeking suspension of the sentence imposed by the Special Court, and the same was allowed. Accordingly, the sentence passed by the Special Court was suspended till 07.06.2026 upon execution of bond. He further submits that the Petitioner has a fair chance of acquittal in the appeal. Accordingly, the learned counsel prays to allow the Criminal Miscellaneous Petition.

5. Heard the learned Government Advocate (Criminal Side) appearing for the respondent.



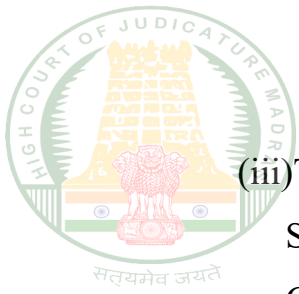
6. Heard both sides. This Court has perused all the materials available on record.

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7. The trial Court had already suspended the sentence vide order dated 08.05.2026 till 07.06.2026. Considering all the above facts and circumstances, this Court is of the view that, since the petitioner has fair chance in succeeding in the Appeal, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

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

- (i) The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees TenThousand), with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore;
- (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 learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore on the first working day of every month at 10.30 a.m. until the disposal of the revision 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.

22-05-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

av/jas

To

1. The learned Sessions Judge, Special Court for Trial of Cases under SC/ST (POA) Act, Coimbatore.
2. The Assistant Commissioner of Police,
Kattoor Range,
Coimbatore District.
3. The Public Prosecutor,
High Court, Madras.



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R.SAKTHIVEL, J.

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