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CRL MP No. 22864 of 2025 in CRL A No.1847 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 22-01-2026

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THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**CRL MP No. 22864 of 2025
in CRL A No.1847 of 2025**

Karthik

Petitioner(s)

Vs

The State Represented by its
Inspector of Police, Peelamedu Police
Station, Coimbatore - 641 004.

Respondent(s)

PRAYER

To suspend the sentence imposed on the appellant/accused to undergo simple imprisonment for the period of 1 month and under 304(2) sentenced to undergo simple imprisonment for the period of 5 years and shall pay the fine amount of Rs.2,500/- failing which the accused shall undergo simple imprisonment for 6 months for an alleged offence U/s. 352, 304(2) IPC by the Honble V Additional District Judge, Coimbatore, in S.C.No. 83/2021 on 01.11.2025 and to enlarge the petitioner on bail pending disposal of the above appeal.

For Petitioner(s): J.Kingsly Solomon



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

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 01.11.2025 passed in S.C.No. 83/2021 by the V Additional District Judge, Coimbatore, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/accused in S.C.No. 83/2021 was convicted by the Trial Court by judgment dated 01.11.2025, for the offence under Section 352 of IPC, to undergo one month rigorous imprisonment and for the offence under Section 304(1) of IPC, to undergo five years rigorous imprisonment, and to pay a fine of Rs.2,500/-, in default to undergo simple imprisonment with hard labour for a period of six months. Aggrieved by the same, he filed Crl.A.No.1847 of 2025 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.

3. It is the case of the prosecution that the petitioner is the grandson of the victim; that the victim was reprimanded by one of the witnesses, namely



Mr. Dharmaraj, who is the brother-in-law of the victim; that the petitioner attempted to attack the said Mr. Dharmaraj with a broken bottle on 26.07.2020; and that, at that point of time, the petitioner's grandmother intervened and sustained grievous injuries and succumbed to the injuries.

4. The learned counsel for the petitioner would submit that there are several infirmities in the prosecution case; that most of the witnesses have turned hostile; that the evidence of P.W.1 / Dharmaraj does not inspire confidence; that substantial grounds have been raised in the appeal and that considering the period of incarceration already undergone by the petitioner, it is prayed that the sentence imposed on the petitioner may be suspended.

5. Heard the learned Government Advocate (Crl.Side) appearing for the respondent and perused the materials available on record.

6. Considering the fact that there are substantial grounds raised in the above appeal, which requires consideration 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 petitioner.

7. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above



criminal appeal and the petitioner is ordered to be released on bail on the following conditions:

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(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 V Additional District Judge, 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

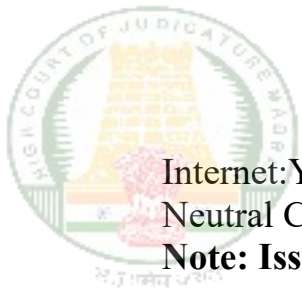
(iii) The petitioner shall appear before the Trial Court on the first working day of every week at 10.30 a.m. until the disposal of the appeal and if he is not able to appear before the Trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the Trial Court on any other day in lieu of the date of his absence, as directed by the Trial Court.

22-01-2026

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Index: Yes/No

Speaking/Non-speaking order



Internet: Yes

Neutral Citation: Yes/No

Note: Issue order copy by .01.2026

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To

1. Learned V Additional District Judge, Coimbatore.
2. The Superintendent, Central Prison, Coimbatore.
3. The Inspector of Police, Peelamedu Police Station, Coimbatore - 641 004.
4. The Public Prosecutor, Madras High Court, Chennai.



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SUNDER MOHAN J.
skr

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