



WEB COPY

CRL MP No. 22925 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-02-2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**CRL MP No. 22925 of 2025
in CRL A No. 1856 of 2025**

Kanagaraj
S/o. Sundramoorthi,
Vaikalmedu Street, Mutlur Village,
Chidambaram,
Cuddalore District.

...Petitioner(s)

Vs

The State rep by
The Inspector of Police,
Station House Officer,
Tindivanam Police Station,
Tinidvanam.
Crime No.315 of 2014.

...Respondent(s)

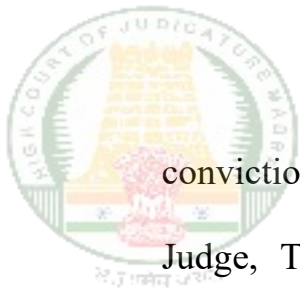
PRAYER: Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C and 430(1) of BNSS, 2023, to suspend the conviction and sentences passed by the learned Principal Assistant Sessions Judge, Tinidvanam by a Judgement and order dated 10.10.2025, made in S.C.No.213 of 2016 and to release the petitioner on bail.

For Petitioner(s): Mr.R.Thamarai Selvan

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

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the



conviction and sentence passed by the learned Principal Assistant Sessions Judge, Tindivanam, in Spl.S.C.No.213 of 2016 dated 10.10.2025 pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/Accused No.1 in Spl.S.C.No.166 of 2019 was convicted and sentenced by the Trial Court by judgment dated 10.10.2025 as follows:

under Section	Sentence imposed
392 IPC	To undergo RI for 10 years and to pay a fine of Rs.10,000/-, in default to undergo SI for one year.

3. Aggrieved by the same, the petitioner filed Crl.A.No.1856 of 2025 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

4. The case of the prosecution is that the petitioner along with two other accused had committed robbery of three sovereigns of gold jewels from P.W.1, who is the victim by threatening her with a knife and thus committed the aforesaid offence.

5. The learned counsel for the petitioner would submit that the



petitioner has been falsely implicated and that the sentences imposed on the co-accused A2 and A3, were suspended by this Court, though the recovery was made from A2; and there are several arguable points in the appeal, which require consideration and prayed for suspension of sentence.

6. The learned Government Advocate (Crl. Side) for the respondent confirms the said fact that the sentence imposed on the co-accused has been suspended by this Court; and that the petitioner has several previous cases.

7. Admittedly, the petitioner's leg has been amputated after he sustained serious injuries in an accident. The sentence imposed on similarly placed co-accused/A3, who has ten previous cases, was suspended by this Court by order dated 20.11.2025 in Crl.M.P.No.21582 of 2025. The petitioner as party is entitled to the same order.

8. Considering the above facts and since the appeal is not likely to be taken up in the near future, this Court is inclined to suspend the sentence.

9. 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:

- (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 Principal Assistant Sessions Judge, 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
- (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.

11-02-2026

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SUNDER MOHAN J.

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To

1. The Principal Assistant Sessions Judge, Tinidvanam

2. The Inspector of Police
Station House Officer,
Tindivanam Police Station,
Tinidvanam.

3. The Public Prosecutor,
High Court, Madras

4. The Central Prison, Cuddalore

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