



Crl.M.P.No.348 of 2026
in Crl.A.No.22 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 28.01.2026

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.348 of 2026
in Crl.A.No.22 of 2026

Krishnan

... Petitioner /Appellant

Vs.

The State rep. By
The Inspector of Police,
Panchapalli Police Station,
Dharmapuri District.
(Crime No.91/2021)

... Respondent/Complainant

PRAYER: Criminal Miscellaneous Petition has been filed under Section 430(1) r/w 483 of BNSS praying to suspend the sentence made in S.C.No.113 of 2023 dated 21.11.2025 on the file of the Additional District and Sessions Judge, Dharmapuri and enlarge the petitioner on bail pending Crl.A.No.22 of 2026 on the file of this Hon'ble Court in pursuance to the Crime No.91 of 2021 on the file of the respondent.

For Petitioner : Mr.V.Sakkarapani

For Respondent : Mr.S.Raja Kumar,
Additional Public Prosecutor



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ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 21.11.2025 passed in S.C.No.113 of 2023 by the learned Additional District and Sessions Judge, Dharmapuri, Chennai, pending disposal of the above criminal appeal and enlarge the petitioner on bail.

2. The petitioner/accused in S.C.No.113 of 2023 was convicted by the Trial Court by judgment dated 21.11.2025, for the offences under Sections 307, 294(b) and 324 IPC and sentenced him to undergo seven years rigorous imprisonment and to pay a fine of Rs.3,000, in default, to undergo six months rigorous imprisonment for the offence under Section 307 IPC and sentenced to undergo one month simple imprisonment for the offence under Section 294(b) IPC and also sentenced him to undergo two years rigorous imprisonment for the offence under Section 324 IPC and the sentences were ordered to concurrently. Aggrieved by the same, he filed Crl.A.No.22 of 2026 before this Court along with the instant criminal miscellaneous petition seeking suspension of sentence and bail.



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3.The gist of the prosecution is that on account of prior enmity, the appellant abused the first victim in filthy language and attacked him with a bill hook machete and caused grievous injuries and also assaulted the second victim with a sickle on the right hand and thus committed the aforesaid offences.

4.The learned counsel for the petitioner would submit that the petitioner has raised substantial grounds in the above Revision, which requires consideration; that the alleged occurrence did not take place in the manner alleged by the prosecution; that the FIR was fabricated and there are several inconsistencies in the evidence adduced on the side of the prosecution. Considering the above facts and the period of incarceration, the sentence imposed on the petitioner may be suspended.

5.Heard the learned Government Advocate(Crl. Side), who would submit that the impugned Judgment is justified; that two victims have suffered grievous injuries; and hence, prayed for dismissal of the petition.

6.Considering the fact that the petitioner has raised substantial grounds in the appeal which requires consideration and since the appeal is not likely to



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be taken 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:

- (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.I, Dharmapuri;
- (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.

28.01.2026

Tsg



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Note: Issue order copy on 29.01.2026

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To

- 1.The Judicial Magistrate No.I,
Dharmapuri.
- 2.The Additional District and Sessions Judge,
Dharmapuri.
- 3.The Superintendent,
Central Prison, Salem.
- 4.The Inspector of Police,
Panchapalli Police Station,
Dharmapuri District.
- 5.The Public Prosecutor,
High Court, Madras.



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SUNDER MOHAN, J.

Tsg

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