



**IN THE SUPREME COURT OF INDIA
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL APPEAL NO. 1624 OF 2022

MOHAN BABU

Appellant(s)

VERSUS

STATE OF TAMIL NADU

Respondent(s)

WITH

CRIMINAL APPEAL NO. 1427 OF 2024

PALANI

Appellant(s)

VERSUS

**STATE REPRESENTED
BY INSPECTOR OF POLICE**

Respondent(s)

ORDER

1. Heard learned senior counsel and learned counsel appearing for the parties.

2. **Criminal Appeal No. 1624 of 2022**

2.1. By a judgment dated 24.07.2006 passed by the Additional District and Sessions Judge (Fast Track Court No. II), Tindivanam¹ in S.C. Case No. 211 of 2005, the appellant – Mohan Babu (A4) was convicted for the offences under Sections 452, 395, and 396 of the Indian Penal Code, 1860², and sentenced to undergo rigorous

¹ In short, “trial Court”

² In short, “IPC”

imprisonment for five years and to pay a fine of Rs.1,000/- in default whereof to undergo further period of one year simple imprisonment for the offence under Section 452 IPC; to undergo rigorous imprisonment for ten years and to pay a fine of Rs.2,000/- in default whereof to undergo further period of one year rigorous imprisonment for the offence under Section 395 IPC; to undergo life imprisonment and to pay a fine of Rs.2,000/- in default whereof, to undergo further period of one year rigorous imprisonment for the offence under Section 396 IPC. All the sentences were directed to run concurrently.

2.2. Aggrieved thereby, the appellant preferred Criminal Appeal No. 362 of 2007 before the High Court of Judicature at Madras. Upon hearing the parties and on perusal of the material on record, the High Court by judgment dated 02.07.2008, dismissed the appeal and affirmed the judgment of conviction and sentence passed by the trial Court. Assailing the said judgment, the appellant has preferred the present criminal appeal.

2.3. As per the custody certificate placed on record, the appellant has undergone more than fourteen years of incarceration. Taking note thereof, this Court by order dated 01.10.2021, granted interim bail to the said appellant.

2.4. Having considered the matter in its entirety and upon perusal of the material available on record, we are not inclined to interfere with the judgment of conviction and sentence passed by the trial Court, as affirmed by the High Court. This appeal is

accordingly, liable to be dismissed.

2.5. However, considering the fact that the appellant has already undergone more than fourteen years of imprisonment, liberty is granted to the appellant to approach the appropriate Government by filing an application seeking remission, if not already filed, in accordance with the applicable statutory provisions and the prevailing remission policy.

2.6. This Court by a detailed order dated 18.02.2025 passed in Suo Motu Writ Petition (Crl) No. 4 of 2021, while issuing certain directions to the States and Union Territories, categorically observed that the applications seeking pre-mature release / remission should be considered as expeditiously as possible and without undue delay.

2.7. Therefore, if such an application is filed, or is already pending, the competent authority shall consider and pass appropriate orders thereon, strictly in accordance with law, uninfluenced by the dismissal of the present appeal, and keeping in view the aforesaid order dated 18.02.2025, within a period of three months from the date of receipt of the application, or where the application is already pending, within three months from the date of receipt of a copy of this judgment.

2.8. The interim bail granted to the appellant shall continue and shall remain operative until the competent authority passes appropriate orders on the appellant's application seeking remission.

3. Criminal Appeal No. 1427 of 2024

3.1. By a judgment dated 24.07.2006 passed by the Additional District and Sessions Judge (Fast Track Court No. II), Tindivanam³ in S.C. Case No. 211 of 2005, the appellant – Palani (A3) was convicted for the offences under Sections 452, 395, 396 and 323 IPC, and sentenced to undergo rigorous imprisonment for five years and to pay a fine of Rs.1,000/- in default whereof to undergo further period of one year simple imprisonment for the offence under Section 452 IPC; to undergo rigorous imprisonment for ten years and to pay a fine of Rs.2,000/- in default whereof to undergo further period of one year rigorous imprisonment for the offence under Section 395 IPC; to undergo life imprisonment and to pay a fine of Rs.2,000/- in default whereof, to undergo further period of one year rigorous imprisonment for the offence under Section 396 IPC; and to undergo rigorous imprisonment for one year for the offence under Section 323 IPC. All the sentences were directed to run concurrently.

3.2. Aggrieved thereby, the appellant preferred Criminal Appeal No. 788 of 2007 before the High Court of Judicature at Madras. Upon hearing the parties and perusing the material on record, the High Court by judgment dated 02.07.2008, dismissed the appeal and affirmed the judgment of conviction and sentence passed by the trial Court.

3.3. Assailing the said judgment, the appellant has preferred the present criminal appeal.

³ In short, “trial Court”

3.4. Having considered the matter in its entirety and upon perusal of the material available on record, we are not inclined to interfere with the judgment of conviction and sentence passed by the trial Court, as affirmed by the High Court. This appeal is accordingly, liable to be dismissed.

3.5. However, considering the fact that the appellant has undergone more than twenty years of incarceration, liberty is granted to the appellant to approach the appropriate Government by filing an application seeking remission in accordance with the applicable statutory provisions and the prevailing remission policy. In the event such application is filed, the competent authority shall consider and pass appropriate orders thereon, strictly in accordance with law, uninfluenced by the dismissal of the present appeal, and keeping in view the order dated 18.02.2025 passed by this Court in *Suo Motu Writ Petition (Crl.) No. 4 of 2021*, within a period of three months from the date of receipt of the application.

3.6. Taking note of the long period of incarceration undergone by the appellant, he shall be released on interim bail, if not required in any other case, on such terms and conditions as may be imposed by the trial Court. The interim bail so granted shall remain operative until the competent authority passes appropriate orders on the appellant's application seeking remission.

4. The Criminal Appeals are dismissed with the aforesaid liberty.

5. Pending application(s), if any, shall stand disposed of.

.....J.
(R. MAHADEVAN)

.....J.
(MANMOHAN)

NEW DELHI;
JULY 10, 2026

ITEM NO.31

COURT NO.15

SECTION II-C

S U P R E M E C O U R T O F I N D I A
RECORD OF PROCEEDINGS

CRIMINAL APPEAL NO(S). 1624/2022

MOHAN BABU

Appellant(s)

VERSUS

THE STATE OF TAMIL NADU

Respondent(s)

WITH

Crl.A. No. 1427/2024 (II-C)

Date : 10-07-2026 These appeals were called on for hearing today.

CORAM :

HON'BLE MR. JUSTICE R. MAHADEVAN
HON'BLE MR. JUSTICE MANMOHAN
(PARTIAL COURT WORKING DAYS BENCH)

For Appellant(s) Ms. Sangeeta Kumar, AOR
Ms. Vidushi Garg, Adv.

Ms. Sonia Mathur, Sr. Adv.
Mr. Rajiv Mangla, AOR
Ms. Safeena Khan, Adv.
Ms. Monika, Adv.
Mr. Hrithik Jarodia, Adv.
Ms. Shubhi Bhardwaj, Adv.
Ms. Manasi Sridhar, Adv.
Ms. Nikita Gill, Adv.
Mr. Sushil Kumar Dubey, Adv.

For Respondent(s) Mr. B. Karunakaran, AOR

UPON hearing the counsel the Court made the following
O R D E R

1. The Criminal Appeals are dismissed in terms of the signed order.
2. Pending application(s), if any, shall stand disposed of.

(RADHA SHARMA)
ASTT. REGISTRAR-cum-PS

(Signed order is placed on the file)

(AVGV RAMU)
COURT MASTER (NSH)