



ITEM NO.3

COURT NO.1

SECTION II-D

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). 145/2025

FR. EDWIN PIGAREZ

Appellant(s)

VERSUS

STATE OF KERALA & ANR.

Respondent(s)

(IA No. 121324/2024 - CONDONATION OF DELAY IN FILING THE SPARE COPIES, IA No. 93238/2024 - EXEMPTION FROM FILING C/C OF THE IMPUGNED JUDGMENT, IA No. 93241/2024 - EXEMPTION FROM FILING O.T., IA No. 67475/2025 - SUSPENSION OF SENTENCE)

WITH

CrI.A. No. 146/2025 (II-D)

(FOR ADMISSION and I.R. and IA No.234272/2024-EXEMPTION FROM FILING O.T.)

Date : 17-09-2025 These matters were called on for hearing today.

CORAM :

HON'BLE THE CHIEF JUSTICE

HON'BLE MR. JUSTICE K. VINOD CHANDRAN

For Appellant(s) :

Mr. P.V. Surendranath, Sr. Adv.
Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mrs. Ashly Harshad, Adv.
Mr. Sawan Kumar Shukla, Adv.
Ms. Lekha Sudhakaran, Adv.

Mr. R Basant, Sr. Adv.
Ms. Sweena Madhavan Nair, AOR
Mr. Raunak Arora, Adv.
Mr. Sebastian Simon, Adv.
Ms. Yogita, Adv.

CrI. Appeal No(s). 145/2025

For Respondent(s) :

Mr. R. Basant, Sr. Adv.
Ms. Sweena Madhavan Nair, AOR
Mr. Raunak Arora, Adv.
Mr. Sebastian, Adv.
Ms. Yogita, Adv.

Mr. P.V. Surendranath, Sr. Adv.
Mr. Harshad V. Hameed, AOR
Mr. Dileep Poolakkot, Adv.
Mrs. Ashly Harshad, Adv.
Mr. Sawan Kumar Shukla, Adv.
Ms. Lekha Sudhakaran, Adv.

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

IA No. 67475/2025 - SUSPENSION OF SENTENCE

1. By way of this application, the applicant/appellant is seeking suspension of sentence/grant of bail, during the pendency of the appeal(s).

2. We have heard Mr. R. Basant, learned senior counsel appearing for the applicant/appellant and Mr. P.V. Surendranath, learned senior counsel appearing for the respondent(s).

3. Mr. Surenderanath, learned senior counsel has vehemently opposed this application on the ground that the applicant/appellant has been concurrently held guilty for committing the heinous offence.

4. Perusal of the Section 376(2)(i) & (n) of the Indian Penal Code, 1860 would reveal that though for the said offence, the sentence upto life imprisonment can be granted, the minimum sentence is 10 years.

5. The applicant/appellant had already suffered incarceration for almost 10 years.

6. Even if this Court accepts the sentence of 20 years imposed by the High Court, the applicant/appellant has still undergone half of the sentence.

7. In that view of the matter, we are inclined to suspend the sentence of the applicant/appellant, during the pendency of the appeal(s).

8. The appellant is directed to be released on bail in connection with Sessions Case No. 203 of 2016, on such terms and conditions as may be imposed by the Trial Court.

9. The application is, accordingly, disposed of.

(DEEPAK SINGH)
ASTT. REGISTRAR-cum-PS

(ANU BHALLA)
COURT MASTER (NSH)