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CRL MP No.4508 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-07-2026

CORAM

THE HON'BLE DR.JUSTICE ANITA SUMANTH

AND

THE HON'BLE MR.JUSTICE SUNDER MOHAN

**CRL MP No. 4508 of 2026
in Crl.A.No.1342 of 2025**

S.Saravanan
S/o.S.C.Subramani @ Mani,
No.112-A, Mettuthangal Village,
M.Vellalapatti Post, Uthangarai Taluk,
Krishnagiri District.

...Petitioner/Appellant/
A1

Vs

The State Rep by,
The Inspector of Police,
Kallavi Police Station, Krishnagiri District.
Cr.No.51/2007.

...Respondent/Respondent/
Complainant

Prayer: Criminal Miscellaneous Petition filed under Section 430(1) BNSS/389 Cr.P.C., praying to suspend the sentence imposed against the petitioner in S.C.No. 136/2019 on the file of the learned Sessions Judge, Fast Track Mahalir Neethimandram, Krishnagiri, Krishnagiri District, dt. 29.07.2025 and enlarge the petitioner on bail pending disposal of the said Crl.A.No.1342/2025 on the file of this Court.



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For Petitioner :

Mr.V.Parthiban
for Mr.E.Kannadasan

For Respondent(s):

Mr.A.Amarnath
Counsel for Government of Tamil Nadu
(Crl.Side)

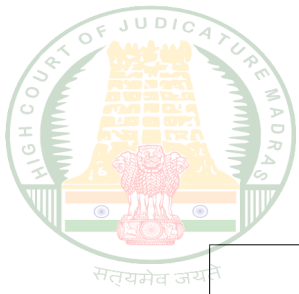
ORDER

(Order of the Court was made by Sunder Mohan J.)

This criminal miscellaneous petition has been filed seeking to suspend the sentence imposed on the petitioner/A1 vide judgement and order dated 29.07.2025 passed in S.C.No.136 of 2019 on the file of the learned Sessions Judge, Fast Track Mahalir Neethimandram, Krishnagiri, Krishnagiri District, and to enlarge the petitioner on bail pending disposal of the appeal.

2. The petitioner who was arrayed as A1, in the above Sessions Case was convicted by the trial Court for the offence under Sections 498(A), 302 and 201 r/w 302 of the IPC and sentenced as follows:

Offence under Section	Sentence imposed
498(A) IPC	to undergo rigorous imprisonment for three years and to pay a fine of Rs.2,000/- in default to undergo simple imprisonment for one year.
302 IPC	to undergo life imprisonment and to pay a fine of Rs.5,000/- in default to



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	undergo simple imprisonment for one year.
201 r/w 302 IPC	to undergo rigorous imprisonment for three years and to pay a fine of Rs.2,000/- in default to undergo simple imprisonment for one year.
The sentences were directed to run concurrently.	

3. Heard the learned counsel for the petitioner and the learned Counsel for Government of Tamil Nadu (Crl.Side) appearing for the respondent/State.

4. (a) It is the case of the prosecution that the deceased was the wife of the petitioner/A1; that there were matrimonial differences on account of dowry demand made by the petitioner; that the petitioner therefore, decided to do away with the deceased with the help of his parents, who were arrayed as A2 and A3; that on 05.02.2007 at about 5.00 a.m., A3 caught hold the legs of the deceased and the petitioner(A1) and A2 strangled the deceased with a rope and caused her death; that thereafter, to screen the offence, they took the body of the deceased to a nearby railway track and dropped the body between the railway track to make it appear that the deceased was run over by a train.



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(b) A complaint was lodged by the Assistant Station Master and a case was registered in Cr.No.51 of 2007 under Section 174 Cr.P.C. and after investigation, a final report was filed for the offences under Sections 498(A), 302, 201 r/w 302 of the IPC. A2 died pending trial and A3 was acquitted by the trial Court.

5. The learned counsel for the petitioner would submit that according to the prosecution one Chellammal witnessed the occurrence in the house of the petitioner; that the said Chellammal was not examined by the prosecution for the reasons best known to them; that the prosecution had examined PW8, who had allegedly witnessed the petitioner along with his parents taking the body of the deceased to the railway track; that the said witness cannot be believed as the witness has not told the said fact to anyone until he was examined by the police two days after the occurrence; that the evidence relating to motive, viz., that the deceased did not meet the demand for dowry also cannot be believed as PW4 and PW5, who are the parents of the deceased had not stated that the petitioner demanded any dowry from them; and therefore, he prayed for suspension of sentence.



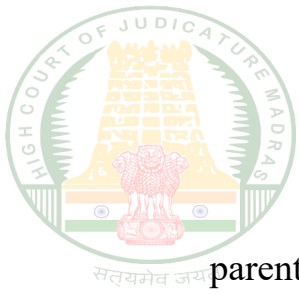
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6. Heard the learned counsel for Government of Tamil Nadu (Criminal Side), who would submit that the witnesses cannot be disbelieved; that the prosecution had established that the petitioner had committed the homicidal violence; that the petitioner has not made out any *prima facie* case for suspension of sentence; and therefore, prayed for dismissal of the petition.

7. We have perused the records.

8. The prosecution seeks to rely upon PW8 to prove that the petitioner along with his parents had taken the body of the deceased to the railway track. PW8 did not state above this fact to anyone, even after he saw the body of the deceased on the railway track and for the first time, he states before the police two days after the occurrence. *Prima facie*, his evidence appears to be doubtful.

9. Further, it is the case of the prosecution that one Chellammal witnessed the occurrence in the petitioner's house. However, the said Chellammal was not examined by the prosecution. PW4 and PW5, the



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parents of the deceased do not have personal knowledge of any alleged dowry demand by the petitioner. In fact, PW5 admits that the deceased had illicit intimacy with another person, who had taken their lands on lease.

10. Considering the above facts, we are of the view that the petitioner has made out a *prima facie* case for suspension of sentence, as there are missing links in the chain of circumstances. Further, since the petitioner is in custody from the date of judgment i.e., 29.07.2025 and the appeal is not likely to be taken up in the near future, we are inclined to grant the relief of suspension of sentence to the petitioner herein.

11. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentences imposed on the petitioner are suspended on the following conditions:

- (i) the petitioner shall execute a bond for a sum of Rs.25,000/-, with two independent sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track Mahilar Neethimandaram, Krishnagiri, Krishnagiri District.



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(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 they are not able to appear before the trial Court on any day, they 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 their absence, as directed by the trial Court.

(A.S.M.,J.) (S.M.,J.)
27-07-2026

Index: Yes/No
Speaking/Non-speaking order
Neutral Citation: Yes/No

Issue order copy by 28.07.2026

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CRL MP No.4508 of 2026

**DR.ANITA SUMANTH, J.
AND
SUNDER MOHAN, J.**

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To

1. The Sessions Judge,
Fast Track Mahalir Neethimandram,
Krishnagiri, Krishnagiri District.
2. The Inspector of Police,
Kallavi Police Station, Krishnagiri District.
3. The Superintendent of Prisons,
Central Prison, Salem.
4. The Public Prosecutor
High Court of Madras.

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