



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-08-2026

CORAM

THE HON'BLE MR.JUSTICE N.SENTHILKUMAR

**CRL MP Nos.14876 & 14877 of 2026
in CRL RC No.1661 of 2026**

1. Elumalai
2. Peramen @ Paramen
3. Palanivel
4. Kesavan
5. Kandasamy

..Petitioners

Vs

The State Represented by
Inspector of Police
Kannankurichi P.S,
Salem District.
Crime No.195 of 2021.

..Respondent

PRAYER in CRL MP No.14876 of 2026: Criminal Miscellaneous Petition filed under Section 430 BNSS, 2023 to Suspend the Sentence of imprisonment in pursuance to the Judgment dated 14.07.2026 passed in CrI.A.No.221 of 2024 on the file of the Principal District Judge, Salem Confirming the order dated 04.09.2024 passed in S.C.No.159 of 2022 on the file of the Assistant Sessions Judge-cum-Chief Judicial Magistrate Court, Salem and enlarge the Petitioners on bail pending disposal of the above Criminal Revision petition before this Court.

PRAYER in CrI.M.P.No.14877 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, to grant an order of exemption from surrendering before the trial Court in pursuance to the judgment dated 14.07.2026 passed in C.A.No.221 of 2024 on the file of the learned Principal District and Sessions Judge, Salem, confirming the Judgment dated 04.09.2024 passed in S.C.No.159 of 2022 on the file of the learned Assistant Sessions Judge-cum-Chief Judicial Magistrate, Salem, pending disposal of the above Criminal Revision Case.



For Petitioners:

Mr.S.Prabhakaran, Senior counsel
for Mr.Conscious Ilango.S

For Respondent:

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

COMMON ORDER

These Criminal Miscellaneous Petitions have been filed to suspend the sentence imposed on the petitioners and to exempt them from surrendering pursuant to the judgment dated 14.07.2026 passed in Crl.A.No.221 of 2024 on the file of the Principal District Judge, Salem, confirming the judgment, dated 04.09.2024 passed in S.C.No.159 of 2022 on the file of the learned Assistant Sessions Judge-cum-Chief Judicial Magistrate, Salem, pending disposal of the above criminal revision, and to enlarge the petitioners on bail.

2. The petitioners are the accused in S.C.No.159 of 2022 on the file of the learned Assistant Sessions Judge-cum-Chief Judicial Magistrate, Salem and they were convicted and sentenced on 04.09.2024 as under:

Petitioners /Accused	Conviction and Sentence awarded
1 st petitioner / A1	for the offences under sections 148, 307 (3 counts), 307 r/w. 149 (3) counts) IPC; for the offence u/s.148 IPC fine of Rs.1,000/- imposed to him, in default undergo Simple Imprisonment for two months, for the offence u/s.307 (3 counts) IPC sentenced him to undergo Seven Years Rigorous Imprisonment for each count and to pay a fine of Rs.5,000/- for each count, in default undergo



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	simple imprisonment for four months, and for the offence u/s.307 r/w. 149 (3 counts) IPC sentenced him to undergo Seven Years Rigorous Imprisonment for each count and to pay a fine of Rs.5,000/- for each count, in default to undergo simple imprisonment for four months.
2 nd petitioner / A2	148, 307 (2 counts), 307 r/w. 149 (4 counts) IPC; for the offence u/s.148 IPC fine of Rs.1,000/- imposed to him, in default to undergo Simple Imprisonment for two months, for the offence u/s.307 (2 counts) IPC sentenced him to undergo Seven Years Rigorous Imprisonment for each count and to pay a fine of Rs.5,000/- for each count, in default to undergo simple imprisonment for four months, and for the offence u/s.307 r/w. 149 (4 counts) IPC sentenced him to undergo Seven Years Rigorous Imprisonment for each count and to pay a fine of Rs.5,000/- for each count, in default to undergo simple imprisonment for four months.
3 rd petitioner / A3	148, 307 r/w. 149 (6 counts) IPC; for the offence u/s.148 IPC fine of Rs.1,000/- imposed to him, in default to undergo Simple Imprisonment for two months, and for the offence u/s.307 r/w. 149 (6 counts) IPC sentenced him to undergo Seven Years Rigorous Imprisonment for each count and to pay a fine of Rs.5,000/- for each count, in default to undergo simple imprisonment for four months.
Petitioners 4 and 5 / A4 & A5	148, 307, 307 r/w. 149 (5 counts) IPC, for the offence u/s.148 IPC fine of Rs. 1,000/- imposed to them, default to undergo Simple Imprisonment for two months, for the offence u/s.307 IPC sentenced them to undergo Seven Years Rigorous Imprisonment for and to pay a fine of Rs.5,000/-, in default to undergo simple imprisonment for four months, and for the offence u/s.307 r/w. 149 (5 counts) IPC sentenced them to undergo Seven Years Rigorous Imprisonment for each count and to pay a fine of Rs.5,000/- for each count, in default to undergo simple imprisonment for four months.



3. Aggrieved by the same, the petitioners filed a Criminal Appeal in Crl.A.No.221 of 2024, and the same was dismissed by the learned Principal District Judge, Salem, confirming the judgment dated 04.09.2024 passed in S.C.No.159 of 2022 on the file of the Assistant Sessions Judge-cum-Chief Judicial Magistrate Court, Salem. Aggrieved by the same, the petitioners have filed the present Criminal Revision Case before this Court along with the instant criminal miscellaneous petitions seeking suspension of sentence and exemption from surrendering before the Trial Court.

4. The learned counsel for petitioners would submit that the petitioners have surrendered before the trial Court on 14.08.2026 and he has raised substantial grounds in this revision. Therefore, he prayed for suspension of sentence.

5. The learned Government Advocate (Crl. Side) did not raise any serious objection for granting suspension of sentence to the revision petitioners.

6. I have given anxious consideration to the submissions made by the learned counsel on either side and also perused the records available.

7. Considering the fact that there are substantial grounds raised in the above revision, which require consideration and since the revision is not likely



to be taken up in the near future, this Court is inclined to grant suspension of sentence.

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8. Accordingly, the Criminal Miscellaneous Petition filed to suspend the sentence stands allowed; However, the petition for exemption to surrender before the trial Court, is dismissed. The sentence imposed on the petitioners is suspended till the disposal of the above criminal revision case. The petitioners shall be released on bail subject to the following conditions:

- (i) The petitioners shall execute separate bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Assistant Sessions Judge-cum-Chief Judicial Magistrate Court, Salem;
- (ii) The petitioners 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;
- (iii) The realization of fine amount, if any, shall also remain suspended during the pendency of the present Revision.
- (iv) The Petitioners shall appear before the trial Court if summons have been issued, until further orders.

18-08-2026

vum



N.SENTHILKUMAR J.

vum

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To

1. The Principal District Judge, Salem
2. The Assistant Sessions Judge-cum-Chief
Judicial Magistrate Court, Salem.
3. Inspector of Police
- Kannankurichi P.S,
Salem District.
4. The Central Prison, Salem.
5. The Public Prosecutor,
High Court of Madras.

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(1/2)