

WEB COPY



CRL MP(MD) NO. 4783 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21-07-2026

CORAM

THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA

AND

THE HONOURABLE MS.JUSTICE R. POORNIMA

Crl.M.P(MD) No.4783 of 2026

in Crl.A(MD) No.284 of 2026

1.M.Arivalagan

2.M.Anandan

Vs

Petitioners

State of Tamilnadu,
Represented by the Inspector of Police,
Kollidam Police Station
Trichy District.
(Crime No.50/2020)

Respondent

For Petitioner(s):

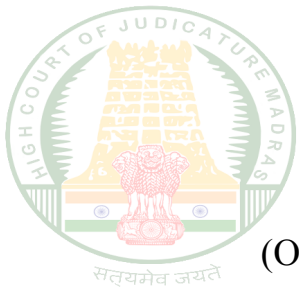
Mr.B.Prabhakar

For Respondent(s):

Mr.C.Christopher
Counsel for State of TN (Crl.Side)

Prayer:

To Suspend the sentence imposed on us by order dt. 22.11.2024 passed in S.C. No. 169/2021 on the file of the Learned II Additional District and Sessions Judge, Tiruchirappalli pending disposal of the above Criminal Appeal.



ORDER

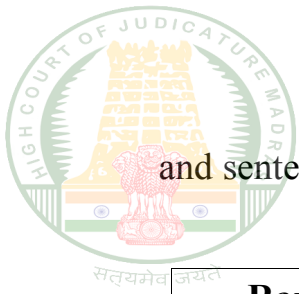
(Order of the Court was made by the Hon'ble A.D.Jagadish Chandira J.)

WEB COPY

This petition has been filed seeking to suspend the sentence imposed on the petitioners/A1 and A2 by the learned II Additional District and Sessions Judge, Tiruchirappalli, in S.C.No.169 of 2021, by judgment dated 22.11.2024 and to enlarge the petitioners on bail.

2. The case of the prosecution is that there was previous enmity between the deceased and the petitioners regarding a land dispute, for which an FIR was also registered by the respondent. Due to the said motive, on 01.03.2020 at about 20.30 hours, when the defacto complainant was passing through the Paniyapuram to Thirupalturai Road for the purpose of repaying the loan, she heard a noise and witnessed the alleged occurrence, wherein the petitioners scolded the son of the defacto complainant and attacked him with an aruval, causing him grievous injuries on his head and all over his body. The son of the defacto complainant succumbed to the injuries. Pursuant to this incident, an FIR came to be registered in Crime No.50 of 2020 and, on completion of the investigation, a Police report came to be filed before the Trial Court against the said accused persons for the offences under Sections 296(b) and 302 of IPC.

3. The Trial Court, on considering the facts and circumstances of the case and on appreciation of the oral and documentary evidence, came to the conclusion that the prosecution had proved its case beyond reasonable doubt and hence convicted



and sentenced the petitioners in the following manner:

Rank of the Accused	Section of law	Sentence of imprisonment
A1 and A2	302 of IPC	Life Imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo six months Rigorous Imprisonment
A2	294(b) of IPC	Three months Rigorous Imprisonment

4. The above sentences were ordered to run concurrently. Aggrieved by the above judgment, the Criminal Appeal has been filed before this Court along with this petition.

5. Heard the learned counsel for the petitioners and the learned Counsel for the State of TN appearing on behalf of the respondent.

6. The learned counsel for the petitioners would submit that the incident happened on 01.03.2020 and the victim succumbed to the injuries only on 03.03.2020, after two days of the occurrence. He would further submit that the presence of PW1 at the time of the occurrence is doubtful. Though PW1 claims that she took her injured son to the hospital, her name does not find a place in the Accident Register. Further, though the victim was in the hospital for two days, neither the Doctor, who gave thre treatment was examined nor was the treatment history / case sheet marked by the respondent to conclusively prove that the victim died due to the injuries sustained from the assault made by the petitioners. Hence, he prays to allow this petition.

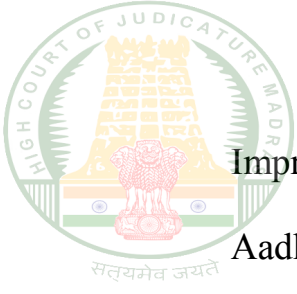


7. The learned Counsel for the State of TN appearing on behalf of the respondent has filed a counter and relying on the same, would submit that due to the previous enmity on account of a land dispute, the accused joined together and inflicted multiple injuries on the defacto complainant's son, resulting in his sustaining grievous injuries. The victim was taken to the hospital, where he died after two days. Hence, he vehemently opposed the grant of suspension of sentence to the petitioners.

8. Taking into consideration the facts and circumstances of the case and considering the issue that has been raised in the present criminal appeal, this Court finds that there are several arguable points in the present Criminal Appeal. Taking into consideration the fact that the petitioners are suffering incarceration since November 2024 and that it will take some more time for this Court to take up the criminal appeal for final hearing, this Court is inclined to suspend the sentence imposed on the petitioners. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioners herein is suspended, subject to the following conditions:

i. The petitioners are directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge, Tiruchirappalli.

ii. 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 passbook to ensure their identity.

WEB COPY

iii. The petitioners shall stay at Chennai and report before the Inspector of Police, North Beach Police Station, Chennai, daily at 10.30 a.m., until further orders.

(A.D.JAGADISH CHANDIRA J.) (R.POORNIMA J.)
21-07-2026

Indu

To

- 1.The II Additional District and Sessions Court, Tiruchirappalli.
- 2.The Inspector of Police,
Kollidam Police Station
Trichy District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.