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CRL MP(MD) NO. 6421 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13-07-2026

CORAM

**THE HONOURABLE MR JUSTICE A.D.JAGADISH CHANDIRA
AND**

THE HONOURABLE MS.JUSTICE R. POORNIMA

Crl.M.P(MD) No.6421 of 2026

in Crl.A(MD) No.363 of 2026

Anbu @ Shet @ Ayyanar

Petitioner

Vs

State of Tamilnadu,
Rep by the Inspector of Police,
Thiruppuvanam Police Station
Sivagangai District.
Crime No.200 of 2010.
Respondent

For Petitioner(s):

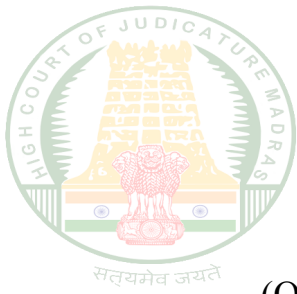
Mr.S.Maya Perumal

For Respondent(s):

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

Prayer:

To suspend the sentence imposed by the learned Sessions Judge (Fast Track Mahila Court), Sivagangai in Sessions Case No.8/2012 dated 15.09.2025 and enlarge the petitioner/accused No.1 on bail till the disposal of the criminal appeal.



ORDER

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

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This petition has been filed seeking suspension of the sentence of imprisonment imposed on the petitioner by the learned Sessions Judge (Fast Track Mahila Court), Sivagangai in Sessions Case No.8 of 2012 dated 15.09.2025 and to enlarge the petitioner on bail.

2. The case of the prosecution is that on 16.05.2010 at about 17.00 hours, when PW1 and her husband were returning from Silaiman on a two-wheeler, due to previous enmity, the accused persons intercepted them near the Ayyanar Temple and A1 and A2 kidnapped PW1's husband on PW3's two-wheeler. At that time, A3 snatched the gold chain from PW1 and left the place. Thereafter, the accused persons committed the murder of PW1's husband. Based on the complaint given by PW1, an FIR in Crime No.200 of 2010 was registered.

3. The Trial Court, on considering the facts and circumstances and on appreciation of the oral and documentary evidence, came to the conclusion that the prosecution had proved its case beyond reasonable doubt and accordingly, convicted and sentenced the petitioner in the following manner:



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Section of Law	Sentence of imprisonment	Fine
Section 506(ii) IPC	Two years Rigorous Imprisonment	Rs.100/- i/d to undergo three months Simple Imprisonment
Section 364 IPC	Five years Rigorous Imprisonment	Rs.100/- i/d to undergo three months Simple Imprisonment
Section 302 r/w. 34 IPC	Life Imprisonment	Rs.1,000/- i/d to undergo six months Simple Imprisonment

4. The learned counsel for the petitioner would submit that though it is the case of the prosecution that PW1, the wife of the deceased, had knowledge of the kidnapping of her husband by A2 and A3 and that she is said to have raised an alarm, she did not give any complaint on 16.05.2010. She gave a complaint only on 17.05.2010, based on which the body was said to be lying in the agricultural field was recovered. There is no witness to the alleged act of murder committed by the accused. PW1 has not spoken anything about the involvement of the present petitioner, who has been arrayed as A1. He would further submit that there is a specific allegation as against A3 and A3 has also been granted bail by this Court in CrI.M.P.(MD) No.2554 of 2026 in CrI.A.(MD) No.180 of 2026, dated 26.02.2026. He further submitted that the petitioner was on bail during the trial and had complied with the conditions and had not misused the liberty granted to him. According to him, there are several arguable points in the appeal and the likelihood of the appeal being taken up for final hearing in the near future is also not probable. Hence, he



prays for suspension of sentence to be granted to the petitioner.

5. The respondent has filed a detailed counter. The learned Counsel for the State of TN appearing on behalf of the respondent would submit that it is a case of circumstantial evidence and that the petitioner, along with two other accused persons, due to previous enmity, kidnapped the deceased and murdered him.

6. Heard the learned counsel on either side and perused the materials available on record.

7. Having heard the learned counsels, we are of the opinion that it is a case for grant of bail. Further the co-accused, who has been similarly placed was also granted bail by this Court.

8. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioner herein is suspended, subject to the following conditions:

i. The petitioner is 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 Sessions Judge, Fast Track Mahila Court, Sivagangai District.

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.



iii. The petitioner shall appear and sign before the trial Court on the first working day of every English calendar month at 10.30 a.m., till the disposal of the Criminal Appeal.

(A.D.JAGADISH CHANDIRA J.) (R.POORNIMA J.)

13-07-2026

Indu

To

1.The Inspector Of Police,

Thiruppuvanam Police Station
Sivagangai District.

2.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.