

CRL MP(MD) NO. 648



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.6483 of 2026

in Crl.A(MD) No.838 of 2025

Maheshwari

Petitioner(s)

Vs

State of Tamilnadu,
Rep by the Inspector of Police,
Vasudevanallur Police Station
Tenkasi District
Crime No.226/2013

Respondent(s)

For Petitioner(s):

Dr.R.ALAGUMANI

For Respondent(s):

Mr.C.Christopher
Counsel for State of tN (crl.side)

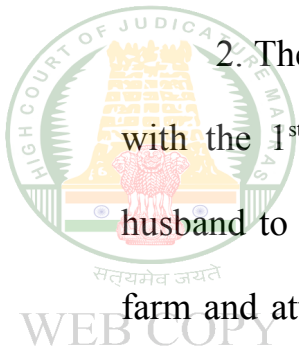
Prayer:

C-60.To suspend the sentence and release the petitioner on bail pending disposal of this criminal appeal before this Court as against the judgment in SC.No.30 of 2024 by the Principal District Court, Tenkasi dated 09.06.2025.

ORDER

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

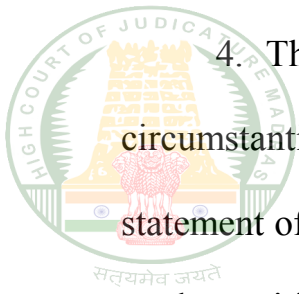
This petition has been filed seeking suspension of the sentence of imprisonment imposed on the petitioner by the Principal District Court, Tenkasi in S.C.No.30 of 2024, dated 09.06.2025 and to enlarge the petitioner on bail.



2. The case of the prosecution is that the petitioner developed an illegal relationship with the 1st accused. On 21.04.2013 at 9.00 p.m., accused No.4 took the petitioner's husband to the 1st accused's farm and at that time, accused Nos.1 and 3 came to the said farm and attacked the petitioner's husband. Accused No.4 caught hold of the legs of the deceased and accused Nos.1 and 3 allegedly strangled him and caused his death. After committing the murder, it was alleged that the accused persons put the body in a sack and buried it with an intention to screen the offence. Based on the complaint given by PW1, a "man missing FIR" in Crime No.226 of 2013 was registered on 30.08.2013.

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 has proved the case beyond reasonable doubt and accordingly, convicted and sentenced the petitioner in the following manner:

<i>Provision under which convicted</i>	<i>Sentence</i>
Sec 120B IPC	Life Imprisonment and fine of Rs.1,000/-, in default to undergo six months Simple Imprisonment.
Sec. 302 r/w. 201 of IPC	Three years Imprisonment and fine of Rs.1,000/-, in default to undergo three months Simple Imprisonment.
Section 342 IPC	Three months Simple Imprisonment
Section 302 r/w. 34 of IPC	Life Imprisonment and fine of Rs.1,000/-, in default to undergo one year Simple Imprisonment.

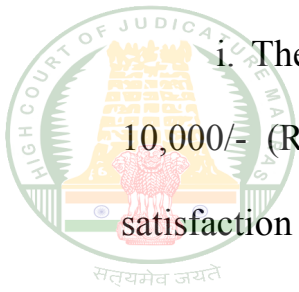


4. The learned counsel for the petitioner would submit that it is circumstantial evidence. The petitioner was implicated only based on the confession statement of A4. It is further submitted that accused No.4, who stands on the same footing as the petitioner /A2, had earlier filed an application for suspension of sentence before this Court, which came to be allowed vide order dated 12.01.2026 in CrI.M.P.(MD) No. 10799 of 2025 in CrI.A.(MD) No.866 of 2025.

5. The learned Counsel for State of TN (CrI.Side) appearing for the respondents would submit that the petitioner is the wife of the deceased. She was having an illegal affair with A1 and since the deceased was an obstacle to their relationship, they had hatched a criminal into a conspiracy, pursuant to which, they made the deceased consume liquor and eventually murdered him and buried the body. Hence, he objects to the grant of suspension of sentence.

6. Considering the period of incarceration undergone by the petitioner and the fact that the co-accused was already granted suspension of sentence by this Court vide order dated 12.01.2026 and further considering that there are several arguable points and moreso the appeal is of the year 2025 and thereby the likelihood of the appeal being taken up for final hearing in the near future is also not probable, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

7. 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 of Rs. 10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal District Judge, Tenkasi.

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,

Vasudevanallur Police Station,
Tenkasi District.

2.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.