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DATED : 30.07.2026

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA**

**CRL.MP(MD)No.10205 of 2026
in
CRL.A(MD)No.620 of 2026**

Panjurajan

... Petitioner/A3

vs.

State of Tamil Nadu through
The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.
(Crime No.22 of 2017)

... Respondent

PRAYER: Petition filed under Section 430(1) of BNSS to suspend the substantive sentence of imprisonment rendered on 10.02.2026 passed by the learned I-Additional District and Sessions Judge, Tirunelveli, in S.C.No.63 of 2018 pending disposal of the appeal.

For Petitioner : Mr.Sanjaysundaram

For Respondent : Mr.C.Christopher,
Counsel for State of Tamilnadu(Crl.Side)



ORDER

WEB COPY [Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

Seeking to suspend the sentence imposed on the petitioner/A3 by the learned I Additional District and Sessions Judge, Tirunelveli, in S.C.No.63 of 2018 dated 10.02.2026, he has filed this criminal miscellaneous petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 r/w 34 of IPC	To undergo life imprisonment	Rs.10,000/- in default to undergo one year simple imprisonment

3. The case of the prosecution is that Accused No.1 named Muthuraj and the Petitioner/Accused No.3 named Panchurajan are brothers, and Accused No. 2 named Gnana Akhila is the wife of the deceased Murugan. An illicit intimacy developed between Accused No.1 and Accused No.2, which was strongly objected to and reprimanded by the deceased husband. Vexed with this, Accused No.1, Accused No.2, and the Petitioner/Accused No.3 hatched a criminal conspiracy to murder the deceased Murugan. In pursuance of their conspiracy, on 27.01.2017 at about 10:30 p.m, Accused No.2 deceptively brought her husband out of the house to the isolated Sudalaimadan field under



the guise of attending nature's call. At the spot, Accused No.1 and the Petitioner/Accused No.3 arrived on a Splendor Bike bearing Registration Number TN-58-X-8330. While the Petitioner/Accused No.3 wrongfully confined, caught hold of, and tightly pinned the deceased Murugan from behind to completely prevent his escape or defense, Accused No.1 brutally assaulted Murugan with a heavy Iron Rod on his head, forehead, and chest, causing instantaneous death on the spot. On the complaint filed by P.W.1, a case was registered in Crime No. 22/2017 by the Veeravanallur Police Station. After a meticulous investigation, the then Inspector of Police filed the final report and charge sheet before the learned Judicial Magistrate, Cheranmahadevi in PRC.No.61 of 2017 and then it was committed to the learned Principal District and Sessions Judge, Tirunelveli, who made over the case to learned I-Additional District and Sessions Judge, Tirunelveli. The trial Court had taken up the case for trial in S.C.No.63 of 2018.

4. On the side of the prosecution, PW1 to PW20 were examined and Exs.P1 to P40 and Ex.C1 were marked, besides MO1 to MO15 were exhibited. The second accused examined herself as DW1 and Ex.D1 and Ex.D2 were marked. When questioned, the accused denied the charges. After trial and after hearing the arguments of both sides, the trial Court convicted and sentenced the

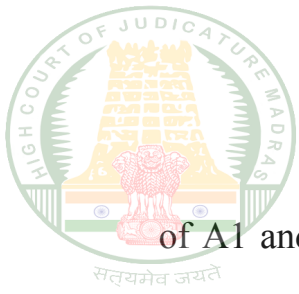


present petitioner/A3 as stated above.

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4. Learned Counsel appearing for the petitioner would submit that the petitioner is A3, who is the co-brother of the first accused. It is a case of circumstantial evidence. The body was said to be seen by the father of the deceased-PW1 on the next day morning, that is, on 29/1/2017 at 7.00 a.m, and based on the complaint, the case has been registered. He would submit that the prosecution has examined PW5 and PW7 witnesses, who are said to have last seen the petitioner with the company of A1 on the previous night. PW 5 and PW7 turned hostile and the evidence of PW 3 and PW 4 cannot be believed to be true. Admittedly, they have not made any statement to the police for having seen the petitioner, immediately on the next day of the occurrence and there is absolutely no evidence as against the petitioner. He would further submit that there are arguable points and the petitioner was on bail during trial and he has not misused the liberty granted to him. Hence, the learned Counsel has prayed for suspension of sentence of the petitioner.

5. The respondent has filed a counter. Relying on the counter, Mr.C.Christopher, learned Counsel for the State of Tamilnadu (Criminal side) appearing for the respondent would submit that the petitioner is the co-brother



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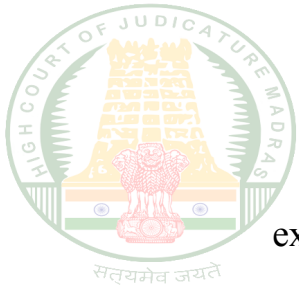
of A1 and A1 had illicit intimacy with A2. In pursuance to the conspiracy, the accused have taken the husband of A2 from the house and committed the murder. He would further submit that the trial Court rightly considering the evidence of the witnesses had found the accused guilty and convicted them. Hence, the learned Counsel for the State of Tamilnadu(Criminal Side) opposed for suspension of sentence of the petitioner herein.

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

7. Taking into consideration the submission of the learned Counsel for the petitioner and the fact that there are several arguable points in the appeal which would not likely to be taken up for final disposal in the near future, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

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

- i. The petitioner is directed to be enlarged on bail on



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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 I-Additional District and Sessions Judge, Tirunelveli.

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 report before the trial Court on the first working day of every English Calendar month at 10.30 a.m., until further orders.

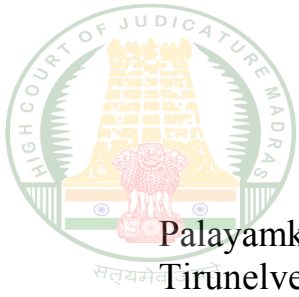
[A.D.J.C., J.] [R.P., J.]
30.07.2026

PJL

To:

1. I Additional District and Sessions Judge,
Tirunelveli.

2. The Superintendent,
Central Prison,



Palayamkottai,
Tirunelveli District.

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3. The Inspector of Police,
Veeravanallur Police Station,
Tirunelveli District.

4. The Government Advocate(Cr1.Side),
Madurai Bench of Madras High Court,
Madurai.



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A.D.JAGADISH CHANDIRA, J.
AND
R.POORNIMA, J.

PJL

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