

CrL.M.P.(MD) No.9888 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 27.07.2026

CORAM

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

**CRL.MP(MD) No.9888 of 2026
in
Crl.A(MD)No.575 of 2026**

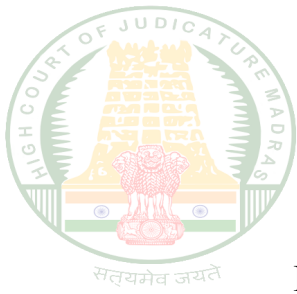
Manda @ Dinesh Valavan : Petitioner/Appellant/A1

Vs.

The State of Tamil Nadu
Through the Inspector of Police,
Papanasam Police Station,
Thanjavur District.
(Crime No.659 of 2021)

: Respondent/Respondent/Complainant

PRAYER: Petition filed under Section 430(2) of BNSS to suspend the sentence imposed on the petitioner/appellant/A1 in SC No.116 of 2022, dated 20/04/2026 on the file of the Additional District and Sessions Judge, (FTC), Kumbakonam and to enlarge him on bail till the disposal of the appeal.



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For Petitioner

: Mr.A.Thiruvadi Kumar
for M/s.Tamil Law Firm

For Respondent

: Mr.C.Christopher
Counsel for State of Tamil Nadu (Crl. side)

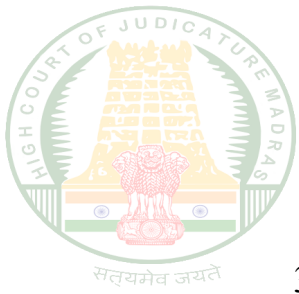
ORDER

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

This Criminal Miscellaneous Petition is filed to suspend the sentence imposed against the petitioner/A1 in SC No.116 of 2022, dated 20/04/2026 passed by the Additional District and Sessions Judge, (FTC), Kumbakonam and enlarge him on bail pending disposal of the Criminal Appeal.

2.The petitioner/A1 stands convicted and sentenced as under:-

Section of Law	Sentence of imprisonment	Fine amount
307 of IPC	7 Years RI	Rs.2,000/-, in default to undergo six months SI.
302 r/w 34 IPC	Life Imprisonment	Rs.5,000/-, in default to undergo one year imprisonment.

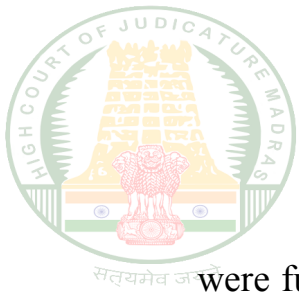


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3.The case of the prosecution is that, on 19/08/2021, the accused persons, the deceased, and their friends had assembled at the playground of the Government Boys Higher Secondary School, Papanasam, during the marriage of their friend Siva's sister. A party had been arranged, and they were consuming liquor. There was a previous dispute between the deceased and A1 relating to the proposed marriage of A1's sister with the deceased, which was opposed by A1. At about 11.00 p.m., a quarrel arose. At that point of time, A2 is alleged to have instigated A1, A3 caught hold of the deceased, and A1 indiscriminately stabbed the deceased with a knife on his chest, abdomen, and the back of his neck, thereby resulting in his death.

4.Based on the complaint lodged by PW1, an FIR came to be registered in Crime No.659 of 2021 for the offences punishable under Sections 294(b), 341, 324, 307 and 302 IPC. Upon completion of the investigation, the respondent police filed a final report before the District Munsif-cum-Judicial Magistrate, Papanasam, in P.R.C. No.10 of 2021 for the offences punishable under Sections 294(b), 324, 307, 302, 109, 34, 323 and 342 IPC. After the appearance of the accused, copies of the documents



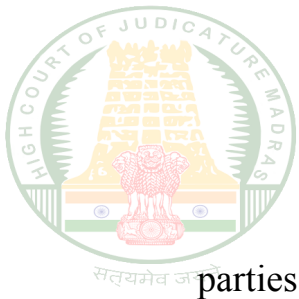
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were furnished to them under Section 207 Cr.P.C. Thereafter, the case was committed to the Court of the Additional District and Sessions Judge (Fast Track Court), Kumbakonam, Thanjavur District, and was taken on file in S.C. No.116 of 2022.

5.On the side of the prosecution, PW1 to PW19 were examined, Exs.P1 to P30 were marked, and M.O.1 to M.O.14 were produced. When the accused were questioned under Section 313 Cr.P.C., they denied the incriminating circumstances appearing against them. On the side of the defence, three witnesses were examined as DW1 to DW3. However, no document was marked. Upon hearing the submissions made on either side, the trial Court convicted the petitioner/A1, as stated above. Challenging the said conviction and sentence, the present criminal appeal has been filed.

6.The learned counsel appearing for the petitioner/A1 would submit that even taking into consideration the entire evidence available on record, the case would fall within one of the Exceptions to Section 300 IPC. Though the prosecution claims that there was previous enmity between the



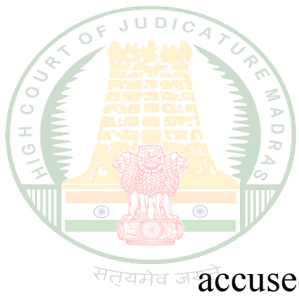
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parties, the same has not been established. Admittedly, the occurrence took place while the petitioner, the deceased, and their friends were in an inebriated condition.

7.He would further submit that the trial Court failed to take note of the discrepancies in the evidence of the eye-witnesses. He would also submit that the petitioner had also sustained injuries, which have not been explained by the prosecution. He would further contend that the similarly placed co-accused have already been granted suspension of sentence by this Court in CrI.M.P.(MD) Nos.9878 and 9881 of 2026, by order, dated 24.06.2026. Hence, he would urge that there are arguable points involved in the matter and therefore, he prays for allowing this petition.

8.Per contra, the learned counsel appearing for the respondent/State, relying on the counter affidavit filed by the respondent, would submit that there was a clear motive on the part of the accused persons, which has been spoken of by the prosecution witnesses. He would further submit that A1 had carried a knife with him and had indiscriminately stabbed the deceased. The same clearly establishes the common intention of all the



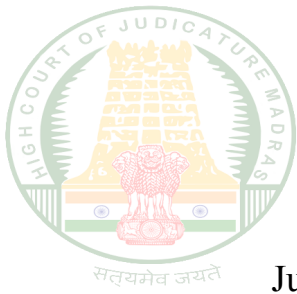
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accused persons to do away with the deceased. He would also submit that the petitioner is involved in seven previous criminal cases. Therefore, the trial Court has rightly convicted the petitioner based on the evidence available on record, and hence, he prays for dismissal of this petition.

9. Taking into consideration the facts and circumstances of the case, and also considering the fact that the co-accused have already been granted suspension of sentence, coupled with the fact that several arguable points arise for consideration in the appeal and that 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 this is a fit case for the grant of suspension of sentence to the petitioner/A1. 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) each with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions



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Judge, (FTC), Kumbakonam, Thanjavur District.

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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 stay at Tirunelveli and sign before the Tirunelveli Town Police Station daily at 10.00 a.m until further orders.**

[A.D.J.C., J.] [R.P., J.]
27.07.2026

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Copy to

- 1.The Additional District and Sessions Judge,
FTC, Kumbakonam, Thanjavur District.
- 2.The Inspector of Police
Papanasam Police Station,
Kumbakonam District.



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3. The Superintendent
Central Prison, Trichy.



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