



CRL MP(MD) NO. 16817 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 21.08.2026

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THE HONOURABLE MR.JUSTICE S.KARTHIKEYAN

CRL MP(MD) NO. 16817 of 2026

in

CRL A(MD)No.973 of 2026

Dinesh Kumar @ Dinesh

Petitioner(s)

Vs

State rep. by,
The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.
Crime No.399/2024

Respondent(s)

For Petitioner(s):

Mr.N.Balaji

For Respondent(s):

Mr.G.Ganesh Kumar

Government Advocate (Crl. Side)

Prayer:

To suspend the execution of the sentence of imprisonment passed against the petitioner on 21.04.2026 in S.C.No.119 of 2025 by the learned District and Sessions Judge, Karur and consequently, release the petitioner on bail pending disposal of the main Criminal Appeal.

ORDER

The petitioner/appellant has come up with the present application seeking to suspend the sentence imposed on the petitioner by the learned District and



Sessions Judge, Karur, in S.C.No.119 of 2025 dated 21.04.2026 and grant bail.

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2. The petitioner/appellant was tried for the offences punishable under Sections 126(2), 296(b) and 351(3) of BNS and Section 3(1) of Tamil Nadu Property (Prevention of Damage and Loss) Act, 1992 (hereinafter referred to as “TNPPDL Act”). The Trial Court, after trial, found the petitioner guilty of the offences punishable under Section 296(b) of BNS and Section 3(1) of TNPPDL Act. He was found not guilty of the offences punishable under Sections 126(2) and 351(3) of BNS. The petitioner was convicted and sentenced as follows:

(i) to undergo one month rigorous imprisonment and to pay a fine of Rs.1000/-, in default, to undergo one week simple imprisonment for the offence punishable under Section 296(b) of BNS;

(ii) to undergo three years rigorous imprisonment and to pay a fine of Rs.75,000/-, in default, to undergo nine months simple imprisonment for the offence punishable under Section 3(1) of TNPPDL Act.

The petitioner has preferred the present appeal and sought for suspension of sentence and bail.

3. The learned counsel for the petitioner/appellant submitted that the petitioner was on bail during trial. The Trial Court has not appreciated the case on its proper perspective and imposed three years rigorous imprisonment with a fine of Rs.75,000/-, in default to undergo nine months simple imprisonment for the



offence punishable under Section 3(1) of TNPPDL Act. According to the learned counsel for the petitioner/appellant, the Trial Court has taken the estimated cost for the purpose of awarding compensation without going into the question of actual damage. Therefore, the said finding need to be interfered with. The learned counsel for the petitioner further relied on the decision of this Court in **Logu @ Loganathan Vs. State rep. by the Inspector of Police, Taluk Police Station, Thanjavur**, reported in **2018 SCC OnLine Mad 14705**, to say that the TNPPDL Act cannot be invoked in all cases except in cases where the damages were caused to any private property during political parties or communal, language or ethnic agitation, demonstration or other activities. Hence, the learned counsel prays for suspension of sentence and bail to the petitioner/appellant.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the petitioner is a sole accused and he caused damages to the front windshield of the bus owned by TNSTC to the tune of Rs.75,000/-. The Trial Court has convicted the Accused after appreciating the materials placed before it and imposed a fine for damages. Apart from this case, the petitioner has five previous cases. The learned Government Advocate further brought to the notice of this Court that the decision relied on by the learned counsel for the petitioner in **Logu @ Loganathan's** case is subsequently overruled by the Division Bench of this Court in **Mangalanatha Durai and others Vs. State represented through the Inspector of Police, Bazaar Police Station, Ramanathapuram**, rendered in **Crl.R.C.(MD).No.869 of 2022 dated 08.06.2023**.



As per the decision of the Division Bench, the TNPPDL Act covers the damages done to the private property even on private motive. Therefore, the learned Government Advocate strongly opposed to grant suspension of sentence and bail to the petitioner/appellant.

5. This Court has given its thoughtful consideration to the rival submissions put forth on either side.

6. As per the case of the prosecution, the petitioner herein had damaged the front windshield of the bus owned by TNSTC and caused damages to the tune of Rs.75,000/-. The petitioner was on bail during trial. The petitioner was taken custody on the date of judgment, i.e., from 21.04.2026 and he is in incarceration for the past four months. The learned counsel for the petitioner/appellant has made certain arguable points in this appeal and there is no likelihood of taking up the appeal for final hearing in the near future. Therefore, this Court is inclined to suspend the sentence imposed by the Trial Court and grant bail to the petitioner/appellant.

7. Accordingly, this Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the Criminal Appeal and the petitioner is ordered to be enlarged on bail on the following conditions:-



i. The petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) with two sureties each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Karur;

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 Pass Book to ensure their identity;

iii. The petitioner shall appear before the Trial Court, daily at 10.30 a.m., until further orders.

On violation of any of the above conditions by the petitioner, the respondent police shall move an application for cancellation of the bail.

21.08.2026
(S.K.,J.)

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To

1.The Principal District and Sessions Judge,
Karur.

2.The Inspector of Police,
Pasupathipalayam Police Station,
Karur District.

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

4.The Central Prison,
Trichy.



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S.KARTHIKEYAN, J.

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