



CRL.MP(MD)No.14363 of 2026
in
CRL.A(MD)No.981 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 20.07.2026

CORAM:

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

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in
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1. S.Sangili
2. Navaskhan

... Petitioners

VS.

The State of Tamil Nadu
Represented by its
Inspector of Police,
Puliyarai Police Station,
Puliyarai, Tenkasi District.
(Crime No.11 of 2017)

... Respondent

PRAYER: Petition filed under Section 430(1) of BNSS to suspend the sentence and grant bail to the petitioners against the judgment dated 30.07.2025 in S.C.No.141 of 2015 on the file of the learned Additional District and Sessions Judge, Tenkasi, pending disposal of the appeal.

For Petitioner : Mr.T.Lajapathi Roy, Senior Counsel
for M/s.Roy and Roy Associates
For Respondent : Mr.C.Christopher,
Government Advocate(Crl.Side)



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ORDER

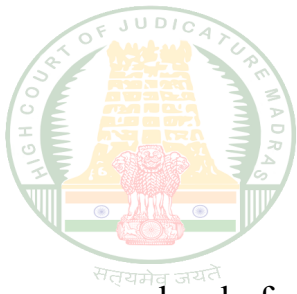
[Order of the Court was made by **A.D.JAGADISH CHANDIRA, J.**]

Seeking to suspend the sentence imposed on the petitioners/A4 & A5 by the learned Additional District and Sessions Judge, Tenkasi, in S.C.No.141 of 2018 dated 30.07.2025, they have filed this criminal miscellaneous petition.

2. The petitioners stand convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 r/w 149 IPC	To undergo life imprisonment	Rs.5,000/- each in default to undergo one year simple imprisonment each.
449 r/w 149 IPC	To undergo life imprisonment	Rs.5,000/- each in default to undergo one year simple imprisonment each.
148 IPC	To undergo three year rigorous imprisonment	---

3. The case of the prosecution is that due to business enmity with regard to lease of fishery rights over a pond, on 08.01.2017 at 23.30 hours, when the deceased Hariharan was conversing with PW1 to PW2 about their family matters, A1 to A3 entered into the house of the deceased with sickles and A4 & A5 guarded outside the house. A1 to A3 attacked the Hariharan with sickles on



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head, forehead, shoulders, elbows, abdominal region and right eye, due to which, Hariharan collapsed and died on the spot.

4. Learned Senior Counsel appearing for the petitioners would submit that even as per the prosecution's case, the petitioners herein were waiting outside the house and guarding the others from entering into the house. Other than that, there is no specific allegation against the petitioners as if they inflicted injuries on the deceased. He would further submit that the petitioners have got a good case in the appeal and during trial, the petitioners were on bail and they had not misused the liberty granted to them. Thus, the learned Senior Counsel prays for suspension of sentence to the petitioners.

5. Learned Government Advocate (Crl.Side) vehemently opposed this petition stating that the petitioners were well aware of the conspiracy and shared a common object pursuant to such conspiracy, the petitioners along with the other accused have committed the murder.

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



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7. Taking into consideration the submission of the learned Senior Counsel for the petitioners 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 petitioners.

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

i. The petitioners are 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 Judge(FTC), 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.



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iii. The petitioners shall stay at Chennai and report before the Inspector of Police, Flower Bazaar Police Station, Chennai, daily morning at 10.30 a.m. until further orders.

[A.D.J.C., J.] [R.P., J.]
20.07.2026

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To:

1. The Additional District and Sessions Judge (FTC),
Tenkasi.
2. The Superintendent,
Central Prison,
Palayamkottai, Tirunelveli.
3. The Inspector of Police,
Puliyarai Police Station,
Puliyarai, Tenkasi District.
4. The Inspector of Police,
Flower Bazaar Police Station,
Chennai.
5. The Government Advocate(Crl.Side),
Madurai Bench of Madras High Court,
Madurai.



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

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ORDER MADE IN
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DATED : 20.07.2026