



WEB COPY



CRL MP(MD) NO. 15218 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17.08.2026

CORAM

THE HONOURABLE MR.JUSTICE S.KARTHIKEYAN

CRL MP(MD) NO. 15218 of 2026

in

CRL A(MD)No.892 of 2026

1.Vetrivel

2.Shanmuganathi

Petitioner(s)

Vs

The State of Tamil Nadu Rep. By,
The Inspector of Police,
Alanganallur Police Station,
Madurai.
Crime No.316/2021

Respondent(s)

For Petitioner(s):

Mr.M.Jegadeesh Pandian

For Respondent(s):

Mr.A.Robinson

Government Advocate (Crl. Side)

Prayer:

To suspend the sentence imposed on the petitioners by the learned Additional Chief Judicial Magistrate (Assistant Sessions Judge), Madurai by judgment in S.C.No.584 of 2023 dated 25.02.2026 and enlarge petitioners on bail pending disposal of the Criminal Appeal.



ORDER

The petitioners have come up with the present application seeking to suspend the sentence imposed on the petitioners by the learned Additional Chief Judicial Magistrate (Assistant Sessions Judge), Madurai in S.C.No.584 of 2023 dated 25.02.2026 and grant bail.

2. The petitioners/appellants are father and son. As per the case of the prosecution, P.W.2, husband of the defacto complainant, had illicit affair with the daughter of A1. In this connection, there was a previous enmity and therefore, the petitioners had attacked him with sickle and attempted to cause his death.

3. The first petitioner/A1 was tried for the offences punishable under Sections 341, 294(b), 324, 307 and 506(2) of IPC. The second petitioner/A2 was tried for the offences punishable under Sections 341, 294(b), 342, 324, 307 and 506(2) of IPC. The Trial Court, after trial, found the first petitioner/A1 guilty of the offence punishable under Section 307 of IPC. The second petitioner/A2 was found guilty of the offences punishable under Sections 307 r/w 342 and Section 342 of IPC. The petitioners were found not guilty of the offences punishable under Sections 341, 294(b), 324 and 506(2) of IPC. The Trial Court convicted and sentenced the petitioners as follows:



Accused	Section of law	Sentence of Imprisonment	Fine amount
A1	307 IPC	10 years rigorous imprisonment	Rs.1000/- in default to undergo 6 months simple imprisonment
A2	307 r/w 342 IPC	10 years rigorous imprisonment	Rs.1000/- in default to undergo 6 months simple imprisonment
A2	342 IPC	1 year rigorous imprisonment	Rs.500/- in default to undergo 6 months simple imprisonment

The petitioners have preferred the present appeal and sought for suspension of sentence and bail.

4. The learned counsel for the petitioners/appellants submitted that even as per the case of the prosecution, the second petitioner has caught hold of the injured and the first petitioner has attacked him with sickle. Had the first petitioner really intended the death of the injured, the injury would not have inflicted on his hands. Therefore, according to the learned counsel for the petitioners, there are arguable points in the appeal. He further submitted that the petitioners have paid the fine amount as ordered by the Trial Court and prayed for suspension of sentence and bail to the petitioners/appellants.

5. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent Police submitted that the daughter of A1/first petitioner, had illicit affair with P.W.2, who is the husband of P.W.1. Therefore, due to the said motive, both the petitioners with a common intention assembled together on 08.07.2021 at



around 5.30 p.m. and while the second petitioner caught hold of the injured/P.W.2, the first petitioner had attacked him with sickle and thereby, caused serious injuries. The Trial Court has found the petitioners guilty of the offence punishable under Sections 307 of IPC and sentenced them to undergo 10 years rigorous imprisonment with a fine of Rs.1000/-, in default, to undergo six months simple imprisonment. There are sufficient materials to prove the guilt of the Accused. Therefore, the learned Government Advocate strongly opposed to grant suspension of sentence and bail to the petitioners/appellants.

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

7. On careful perusal of records, it is found that the first petitioner was charged for the offences punishable under Sections 341, 294(b), 324, 307 and 506(2) of IPC and convicted for the offence punishable under Section 307 of IPC. The second petitioner was charged for the offences punishable under Sections 341, 294(b), 342, 324, 307 and 506(2) of IPC and convicted for the offences punishable under Sections 307 r/w 342 and 342 of IPC. The records reveal that even as per the case of the prosecution, the second petitioner is said to have caught hold of the injured and the first petitioner had attacked him with sickle. Admittedly, the injuries were not caused to the vital parts of the body. The injuries occurred only in the hands and elbow. The petitioners were on bail throughout the trial. The petitioners are in custody since the date of judgment of the Trial Court



(25.02.2026) for about six months. There are certain arguable points made by the petitioners/appellants in the appeal. Considering all the above circumstances, this Court is inclined to suspend the sentence imposed by the Trial Court and grant bail to the petitioners/appellants.

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

i. The petitioners shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Judicial Magistrate, Vadipatti, Madurai District;

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 petitioners 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 petitioners, the respondent police shall move an application for cancellation of the bail.

17.08.2026
(S.K.,J.)

Lm



To

1. The Judicial Magistrate,
Vadipatti, Madurai District.

WEB COPY

2. The Inspector of Police,
Alanganallur Police Station,
Madurai.

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

4. The Central Prison,
Madurai.



WEB COPY



S.KARTHIKEYAN, J.

Lm

Crl.M.P.(MD).No.15218 of 2026
in
Crl.A.(MD).No.892 of 2026

17.08.2026