



CRL MP(MD) NO. 15424 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2026

CORAM

THE HONOURABLE MR.JUSTICE S.KARTHIKEYAN

CRL MP(MD) NO. 15424 of 2026

in

CRL A(MD)No.376 of 2026

Periyasamy @ Alagar

Petitioner(s)

Vs

1.The State of Tamil Nadu rep. by,
The Deputy Superintendent of Police,
Virudhunagar Sub-Division,
Virudhunagar District.
(Crime No.38/2022)

2.Muthaiah

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 petitioner by the Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputhur in Special S.C.No.20 of 2022 dated 20.02.2026 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.



ORDER

The petitioner/appellant has come up with the present application seeking to suspend the sentence imposed on the petitioner by the Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputhur, in Spl.S.C. No.20 of 2022 dated 20.02.2026 and grant bail.

2. The petitioner/appellant was tried for the offences punishable under Section 294(b) of IPC r/w Section 3(1)(r), 3(1)(s) of the SC/ST (POA) Act and Section 307 of IPC r/w Section 3(2)(v) of the SC/ST (POA) Act. The Trial Court, after trial, found the petitioner guilty of the offences punishable under Section 324 of IPC r/w Section 3(2)(va) of SC/ST (POA) Act. The petitioner was convicted and sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.1000/-, in default, to undergo one month simple imprisonment. He was found not guilty of the offences punishable under Section 294(b) of IPC r/w Section 3(1)(r), 3(1)(s) of the SC/ST (POA) Act and Section 307 of IPC r/w Section 3(2)(v) of the SC/ST (POA) Act. The petitioner has preferred the present appeal and sought for suspension of sentence and bail.

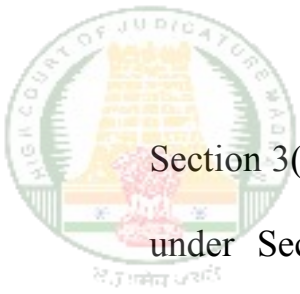
3. The learned counsel for the petitioner/appellant submitted that the petitioner was in custody for 40 days during pre-bail period and now, the petitioner was taken custody on the date of judgment of the Trial Court (20.02.2026) and he is in custody for about six months. Therefore, the learned counsel 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 contended that the petitioner was charged for the offences punishable under Section 294(b) of IPC r/w Section 3(1)(r), 3(1)(s) of the SC/ST (POA) Act and Section 307 of IPC r/w Section 3(2)(v) of the SC/ST (POA) Act. The petitioner was convicted for the offences punishable under Section 324 of IPC r/w Section 3(2)(va) of SC/ST (POA) Act and sentenced to undergo two years rigorous imprisonment and to pay a fine of Rs.1000/-, in default, to undergo one month simple imprisonment. The petitioner has certain previous cases numbering to 14. Considering the said position, this Court has declined to grant bail in the earlier application in Crl.M.P.(MD).No.6691 of 2026 dated 17.04.2026. There is no change in circumstances subsequent to the dismissal of the earlier bail application. Therefore, he 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. Though notice was issued to the defacto complainant and his name is printed in the cause list, he is not present before this Court to object this bail application.

6. As per the case of the prosecution, the petitioner herein attempted to cause death to the defacto complainant, namely, the second respondent. The petitioner was tried for the offences punishable under Section 294(b) of IPC r/w Section 3(1)(r), 3(1)(s) of the SC/ST (POA) Act and Section 307 of IPC r/w



Section 3(2)(v) of the SC/ST (POA) Act and convicted for the offences punishable under Section 324 of IPC r/w Section 3(2)(va) of SC/ST (POA) Act. The petitioner was acquitted from the charges under Section 294(b) of IPC r/w Section 3(1)(r), 3(1)(s) of the SC/ST (POA) Act and Section 307 of IPC r/w Section 3(2)(v) of the SC/ST (POA) Act. However, neither the State nor the defacto complainant preferred any appeal as against the said order of acquittal. The petitioner was in incarceration for about 40 days during pre-bail period and he is in incarceration since the date of judgment of the Trial Court, i.e., from 20.02.2026, for about six months. Though the petitioner is said to have certain previous cases, from the submissions of the learned counsel for the petitioner, it is found that the petitioner was granted bail in all those cases. Considering all the above circumstances, 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 Special Court for Trial of SC/ST (POA) Act cases, Virudhunagar District at Srivilliputhur;



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 stay away from the place of occurrence and shall not commit any similar kind of offence. He shall file an affidavit to that effect before the respondent Police. He shall stay at Madurai and report before the Inspector of Police, Annanagar Police Station, Madurai District, 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.

19.08.2026
(S.K.,J.)

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To

1.The Special Court for Trial of SC/ST (POA) Act cases,
Virudhunagar District at Srivilliputhur.

2.The Deputy Superintendent of Police,
Virudhunagar Sub-Division, Virudhunagar District.

3.The Inspector of Police,
Annanagar Police Station,
Madurai District.

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

5.The Central Prison,
Madurai.



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S.KARTHIKEYAN, J.

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