



WEB COPY

Crl.MP(MD) No.1:



126

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 14-08-2026

CORAM

THE HONOURABLE MR.JUSTICE S.KARTHIKEYAN

Crl.M.P(MD) No.15446 of 2026

in Crl.A(MD) No.1041 of 2025

1.Thangapandi

2.Jothiraj

Petitioners

Vs

1.The State of Tamil Nadu,
Represented by the Deputy Superintendent of Police
Srivilliputtur Sub Division
Nathampatti Police Station
Virudhunagar District.
In Crime No.76/2022.

2.Munichelvam

3.Velchamy

Respondents

For Petitioner(s):

Mr.M.Jegadeesh Pandian

For Respondent(s):

Mr.G.Ganeshkumar
Government Advocate (Crl.Side) for R1

Prayer:

To Suspend the sentence imposed on petitioners/Appellants/Accused No.1 and 2 passed by the learned Special Court for Trial of SC/ST (PoA) Act Cases, Virudhunagar District at Srivilliputhur in Spl.S.C.No.37 of 2022 dated 01.09.2025 and enlarge the petitioners on bail, pending disposal of the Criminal Appeal.



ORDER

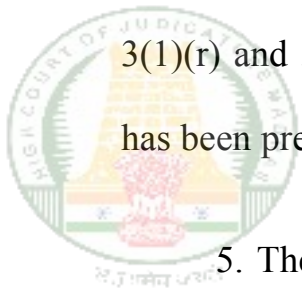


The petitioners/A1 and A2 have come up before this Court seeking suspension of sentence imposed by the learned Special Court for Trial of SC/ST (PoA) Act Cases, Virudhunagar District at Srivilliputhur in Spl.S.C.No.37 of 2022 dated 01.09.2025.

2. The learned counsel for the petitioners submitted that the petitioners have approached this Court seeking suspension of sentence and bail in CrI.M.P(MD) No.13561 of 2025 in CrI.A(MD) No.1041 of 2025, wherein this Court has granted interim suspension of sentence imposed on the petitioners until 13.10.2025 on certain conditions. However, subsequently, the matter was not listed before this Court and the petitioners have also not taken any steps to seek extension of the said interim suspension. Therefore, by order dated 24.03.2026, this Court has dismissed the said application. Now, the petitioners have come up with the present application seeking suspension of sentence imposed on the petitioners.

3. The 1st petitioner was tried before the Trial Court for the offences punishable under Section 294(b) of IPC, Sections 3(1)(r) and 3(1)(s) of the SC/ST (PoA) Act, Section 324 of IPC and Section 3(2)(va) of the SC/ST (PoA) Act and the second petitioner was tried before the Trial Court for the offences punishable under Section 294(b) of IPC, Sections 3(1)(r) and 3(1)(s) of the SC/ST (PoA) Act, Section 323 of IPC and Section 3(2)(va) of the SC/ST (PoA) Act.

4. After trial, the first petitioner/A1 was found guilty of the offences under Section 324 of IPC r/w. Section 3(2)(va) of the SC/ST (PoA) Act and the second petitioner/A2 was found guilty of the offences under Section 323 of IPC and Section 3(2)(va) of the SC/ST (PoA) Act. Further, A1 and A2 were not found guilty under Section 294(b) of IPC and Sections



3(1)(r) and 3(1)(s) of the SC/ST (PoA) Act and as against the order of acquittal appeal has been preferred either by the State or by the victim so far.

5. The petitioners were already granted interim suspension of sentence by this Court vide order dated 26.09.2025 and now they are in custody for about 41 days.

6. Notice was issued to the defacto complainant and victim and both of them are present before this Court in person today and they have no objection to granting bail to the petitioners.

7. The learned Government Advocate (Crl.Side) appearing for the respondent also has no serious objection for granting bail to the petitioners.

8. Considering the above circumstances, this Court is inclined to suspend the sentence imposed on the petitioners in Spl.S.C.No.37 of 2022 dated 01.09.2025 by the learned Special Court for Trial of SC/ST (PoA) Act Cases, Virudhunagar District at Srivilliputhur, pending disposal of the appeal and grant bail to the petitioners on the following conditions.

i. The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each 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 petitioners shall appear before the Special Court for Trial of SC/ST (PoA) Act Cases, Virudhunagar District at Srivilliputhur, once in a month i.e. on first working day of every month at 10.30 a.m., till the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 B.N.S.S. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

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

14-08-2026

Indu

To

1. The Deputy Superintendent of Police
Srivilliputtur Sub Division
Nathampatti Police Station
2. The Government Advocate (Crl.Side)
Madurai Bench of Madras High Court,
Madurai.