



CRL.MP(MD)No.16041 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 17.08.2026

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MR.JUSTICE B.MURUGESAN

CRL.MP(MD)No.16041 of 2026

in

CRL.A(MD)No.1295 of 2025

U.Rajamani

... Petitioner

Vs.

State of Tamil Nadu,
Rep.by the Inspector of Police,
Musiri Police Station,
Tiruchirapalli District
In Cr.No.213 of 2024.

... Respondent

PRAYER: Petition filed under Section 430(1) of BNSS to suspend the sentence for conviction imposed by the learned Principal District and Sessions Judge, Tiruchirapalli in SC No.54 of 2025 by its judgment dated 26.09.2025 and enlarge the petitioner/appellant on bail.

For Petitioner : Mr.R.Ramachandran

For Respondent : Mr.G.Karuppasamy Pandiyan,
Counsel for State of TN (Crl.side)



CRL.MP(MD)No.16041 of 2026

ORDER

WEB COPY

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

Seeking to suspend the sentence imposed on the petitioner by the learned Principal District and Sessions Judge, Tiruchirapalli in S.C.No.54 of 2025 dated 26.09.2025, he has filed this criminal miscellaneous petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
103(1) r/w3(5) of BNS	Life imprisonment	Rs.5,000/- in default to undergo one month rigorous imprisonment
351(3) of BNS	Six months rigorous imprisonment	-

3.The case of the prosecution is that the the deceased Palanisamy resided at Kudi theru, Pallapatti, Musiri Taluk, Tiruchirappalli District. The defacto complainant is the wife of said Palanisamy and witness Dharani is his daughter. The deceased Palanisamy has got a land measuring about 1 acre in S.F.No. 39/1A and the common well in S.F.No.39/2A. In the said common well one Ammasi, the uncle of Palanisamy has got share and also the said Ammasi has



CRL.MP(MD)No.16041 of 2026

got land in S.F.No.39/2B, 39/3. Nearly 17 years ago, the 1st accused has purchased the said land from Ammasi and hence he also got a share in the common well. The well was not in use and it was in a damaged condition. The deceased has asked the accused 1 and 2 about the restoration Well, for which the accused 1 and 2 have told that they will not give money towards the same. Nearly 10 years back the deceased Palanisamy has repaired the Well and restored it and irrigated the lands by putting a pump set in the said Well. When the accused 1 and 2 asked the deceased to permit them to use the water from the Well, the deceased has told them that they can use the Well only after paying their share of the expenses for deepening and restoration of the Well. So, the accused 1 and 2 have harboured enmity with the deceased. While so, on 07.08.2024 at 10.30 AM, the 2nd accused has called one Sivakumar to tilt the land through his tractor. When the said Sivakumar took his tractor through the land belongs to deceased Palanisamy, the deceased Palanisamy has stopped the vehicle by saying that he should not take the vehicle through his land. Hence, there was a quarrel between 2nd accused and the deceased Palanisamy. The said witness has returned back without tilling the land. Immediately, the 2nd accused went to his house and the accused 1 to 3 thereby conspired together to kill Palanisamy. In continuation of the same on 07.08.2024 at 11.00 AM when the deceased Palanisamy was standing in his land in S.F.No.39/1A, the accused 1



CRL.MP(MD)No.16041 of 2026

and 2 with aruval and 3rd accused with wooden log trespassed into the land of Palanisamy and asked why he has not allowed the tractor to enter through his land. They quarrelled with Palanisamy. At the time the witness Perumal and Suseela who were grazing their goats went there to prevent the occurrence. The accused 1 to 3 have threatened them that if they intervene, they will assault them. When the occurrence took place, the 1st accused acting in furtherance of their common intention, attacked the deceased Palanisamy with an aruval on his face and on his legs. The second accused has also assaulted the deceased Palanisamy on his left shoulder and chest. When, the the deceased Palanisamy ran towards the land belonging to the accused, the 1st and 2nd accused have attacked on his left leg repeatedly and the deceased Palanisamy was severely injured and thereby fell down. Witness Malarkodi has informed the said incident to one Suganthi, and from the said Suganthi, the witnesses Sasikala and Dharani received the information and came there and requested the accused not to assault the deceased Palanisamy. The accused have scolded the witnesses by using filthy language and have also thereby threatened them that if they come closer to the deceased Palanisamy, they would kill them also. Further, the accused have stated that only if he die they would be able to do the agricultural work and thereby attacked the deceased Palanisamy on his head repeatedly. The 3rd accused also attacked the deceased Palanisamy with a wooden log on his



right hand. The deceased Palanisamy who suffered multiple injuries all over his body and succumbed to the injuries at the place of occurrence itself. Hence, the case.

4. The respondent police after completion of investigation filed a final report before the learned Judicial Magistrate, Musiri and thereby the same was taken on file in PRC No. 20 of 2024 and was committed to learned Principal District and Sessions Judge, Tiruchirapalli and was taken for trial in SC No. 54 of 2025. On the side of the prosecution, P.W.1 to P.W.13 were examined and Ex.P.1 to Ex.P.21 were exhibited and M.O.1 to M.O.13 were cited. When the accused was questioned under Section 313 of Cr.P.C., she denied all charges. On the side of the accused no witness was examined and no documents were marked. After hearing both sides the trial Court convicted the accused as stated above. Challenging the same, the above mentioned criminal appeal has been filed.

5. The learned Counsel appearing for the petitioner would submit that the petitioner is arrayed as A3 and she is a Senior Citizen who is also the wife of A1. The incident said to have occurred when the petitioner attempted to cultivate the property. Even as per the final report the charge against the



CRL.MP(MD)No.16041 of 2026

petitioner is that she had assaulted the deceased with a wooden log on the right hand whereas the trial Court without considering the same based on exaggerations and improved versions of witnesses that the petitioner has assaulted the deceased Palanisamy on his head with the stick had found the petitioner guilty. He would further submit that while the petitioner was languishing in jail the husband of the petitioner died. He would further submit that the son of the petitioner is also now in jail. Apart from that, the learned counsel urged that there are several other arguable points and that since the appeal is of the year 2025, the likelihood of the appeal being taken up for final hearing in the near future is also not probable and hence, he would pray for grant of suspension of sentence to the petitioner.

6.The respondent has filed a detailed counter and by placing reliance on the counter, the learned counsel appearing for the State of Tamil Nadu(Crl.Side) would submit that the petitioner along with other accused had indiscriminately attacked the deceased. He would further submit that the petitioner has assaulted the victim with a wooden log and thereby the deceased Palanisamy had sustained injuries on his head. Thus, he would object for the grant of suspension of sentence.



CRL.MP(MD)No.16041 of 2026

WEB COPY

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

8. It is an application for suspension of sentence and hence we would not propose to delve deep into the evidence at this stage. The petitioner is a lady and Senior Citizen. She along with her husband and son were convicted and sentenced to undergo life imprisonment. Though the charge against the petitioner is that she has assaulted the deceased with stick on his left arm, the trial Court believing the evidence of witnesses that the petitioner has assaulted on the head found the petitioner guilty for murder. The alleged occurrence said to have taken place during quarrel. Further the husband of the petitioner/A1 also passed away while in jail while undergoing sentence. This Court deems these are all special circumstances for grant of bail. Further having gone through the records, we find that there are several arguable points in the appeal and thereby, we are of the opinion that it is a fit case for grant of suspension to the petitioner.

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



WEB COPY



CRL.MP(MD)No.16041 of 2026

- i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Tiruchirapalli
- 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.
- iii. The petitioner shall report before the trial Court on the first working day of every English Calendar Month at 10.30 am., till the disposal of the appeal.

[A.D.J.C., J.] [B.M., J.]
17.08.2026

aav

To

1.The Principal District and Sessions Court,
Tiruchirapalli

2.The Superintendent,
Central Prison (women),Madurai.

3.The Inspector of Police,
Musiri Police Station,Tiruchirapalli District

4.The Government Advocate(Crl.Side),
Madurai Bench of Madras High Court, Madurai.



WEB COPY



CRL.MP(MD)No.16041 of 2026

A.D.JAGADISH CHANDIRA, J.
AND
B.MURUGESAN, J.

aav

CRL.MP(MD)No.16041 of 2026
in
CRL.A(MD)No.1295 of 2025

17.08.2026