

CRL.MP(MD)No.8379 of 2026
CRL.A(MD)No.459 of 2026



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 03.07.2026

CORAM:

**THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL.MP(MD)No.8379 of 2026
in
CRL.A(MD)No.459 of 2026**

Karthigaiselvan

... Petitioner

vs.

State rep by
The Inspector of Police,
Watrap Police Station,
Watrap, Virudhunagar District.
(In Crime No.521 of 2020)

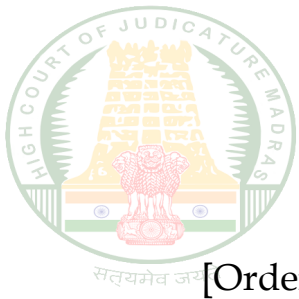
... Respondent

Petition filed under Section 430(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the execution of sentence made by the learned Additional District Sessions Judge, Srivilliputhur, Virudhunagar District in S.C.No.73 of 2020 dated 17.04.2025, enlarge him on bail till the disposal of the criminal appeal.

For Petitioner : Mr.A.Prasanna Rajadurai

For Respondent : Mr.C.Christopher

Government Advocate (Crl.Side)



ORDER

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

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Seeking to suspend the sentence imposed on the petitioner/sole accused by the learned Additional District and Sessions Judge, Srivilliputhur, Virudhunagar District, in S.C.No.73 of 2020 dated 17.04.2025, he has filed this criminal miscellaneous petition.

2. The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 IPC	To undergo life imprisonment	Rs.10,000/- in default to undergo six months rigorous imprisonment
307 IPC	To undergo ten years rigorous imprisonment	Rs.5,000/- in default to undergo six months rigorous imprisonment
506(ii) IPC	To undergo five years rigorous imprisonment	Rs.1,000/- in default to undergo three months rigorous imprisonment
294(b) IPC	To undergo three months simple imprisonment	-

3. The case of the prosecution is that the petitioner herein who is the son-in-law of PW1-defacto complainant, had developed animosity



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towards the defacto complainant's family on account of the fact that his wife had left him and was residing with her parents. On 03.06.2020 at 4.15 p.m, during a family quarrel, PW1 refused to send the wife of the petitioner along with him, in which, the petitioner had abused PW1 and the petitioner armed with a knife, attacked PW1 with an intent to kill, but the complainant ducked, resulting in an injury on his lip. When the deceased Murugesan (brother of the petitioner's wife) rushed to intervene, the petitioner stabbed him below the left chest which eventually caused his death. The petitioner then threatened the eyewitnesses and fled away from the scene of occurrence.

4. The learned counsel appearing for the petitioner would submit that the incident had happened during a family quarrel where PW1 / father-in-law of the petitioner refused to send the petitioner's wife with him. During such time, the deceased who is the brother-in-law of the petitioner, intervened in the fight resulting in the petitioner stabbing on the chest of the deceased. He would further submit that the petitioner had no intention to commit the murder of the deceased and it is only the deceased who intervened during the quarrel between the petitioner and



PW1, thereby the incident had happened. The petitioner was on bail

during trial and from the date of conviction on 17.04.2025, the petitioner is in custody. The petitioner has not misused the liberty granted to him during trial and no other case is pending against the petitioner. Therefore, the learned counsel would pray for suspension of sentence.

5. The respondent has filed a counter. The learned Government Advocate (Crl.Side) appearing for the respondent – Police, would submit that the petitioner is a drunkard, due to which, his father-in-law refused to send his wife along with him. Enraged by the said act, the petitioner started quarrel and abused his father-in-law and stabbed his brother-in-law who intervened in the said quarrel. Thus, he would vehemently oppose for grant of suspension of sentence.

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

7. Taking into consideration the period of incarceration and the fact that the likelihood of the criminal appeal being taken up for final



disposal is not in the near future and having gone through the records,

we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

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

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 Additional District and Sessions Court, Srivilliputhur, Virudhunagar 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 passbook to ensure their identity.

iii. The petitioner shall stay at Madurai and report before the Inspector of Police, Othakadai Police Station, daily at 10.00 a.m., until further orders.



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[A.D.J.C., J.] [T.V.T.S., J.]
03.07.2026

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Note : Issue order copy on 07.07.2026.

To

1. The Judge,
Additional District and Sessions Court,
Srivilliputhur, Virudhunagar District.

2. The Inspector of Police,
Watrap Police Station,
Watrap, Virudhunagar District.

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

4. The Superintendent,
Central Prison,
Madurai.

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



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A.D.JAGADISH CHANDIRA, J.
AND
T.V.THAMILSELVI, J.

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in
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DATED : 03.07.2026