



CRL.MP(MD)No.1406 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 23.07.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MS.JUSTICE R.POORNIMA

CRL.MP(MD)No.1406 of 2025
in
CRL.A(MD)No.134 of 2025

Maniyarasan

... Petitioner

vs.

The State of Tamil Nadu,
Rep by the Inspector of Police,
Swamymalai Police Station,
Thanjavur District.
(Crime No.973 of 2020)

... Respondent

Petition filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed on the petitioner in S.C.No.47 of 2021 dated 26.11.2024 on the file of the learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam, Thanjavur District and enlarge the petitioner on bail pending disposal of the appeal.

For Petitioner : Mr.G.Karuppasamy Pandian for
Mr.R.Karunanidhi
For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

O R D E R

[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/A11 by the learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam, Thanjavur District, vide order dated 26.11.2024 in S.C.No.47 of 2021, he has filed this criminal miscellaneous petition.

2. The petitioner stands convicted and sentenced as under:

Under Section	Sentence
120(b) IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500/- in default to undergo six months Rigorous Imprisonment.
148 IPC	Rigorous imprisonment for two years and to pay a fine of Rs.500/- in default to undergo six months Rigorous Imprisonment.
341 IPC	One month simple imprisonment and to pay fine of Rs.500/- in default to undergo one week simple imprisonment.
302 IPC r/w 149 IPC	Life imprisonment and to pay a fine of Rs.1,000/- in default to undergo one year Rigorous Imprisonment.
The sentences shall run concurrently.	

3. The case of the prosecution is that there was a family dispute between A1 and the deceased and on 10.08.2020, A1 and A2 came to the house of the deceased Arunraj about 20.30 hours and warned the wife of the deceased by saying 'Ask your



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husband to mend his ways otherwise he would be murdered'. Thereafter, on 12.08.2020, about 02.00 p.m., all the accused gathered under the leadership of A1 with an intention to murder the said Arunraj and intercepted the vehicle driven by the deceased on Manapadaiyur to Nagakudi road and murdered him.

4. The learned counsel for the petitioner would submit that the petitioner is arrayed as A11. The allegation against him is that he was a member of the unlawful assembly and that he is said to have intercepted the vehicle driven by the deceased. He would further submit that in respect of similarly placed co-accused, this Court by order dated 27.12.2024 in CrI.MP(MD)No.14377 of 2024, has granted suspension of sentence. Therefore, the learned counsel would seek for suspension of sentence.

5. The learned Additional Public Prosecutor for the respondent - Police would submit that the petitioner was a member of the unlawful assembly and he along with other accused had intercepted the vehicle driven by the deceased and stopped the vehicle and they committed murder of the deceased. Therefore, he objected for granting suspension of sentence.



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on record.

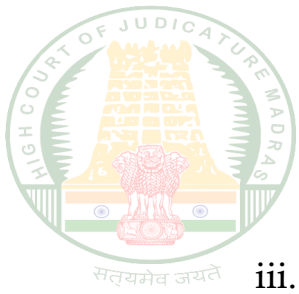
6. Heard the learned counsel on either side and perused the materials available

7. Considering the facts and circumstances of the case and finding that there are arguable grounds taken by the appellant in the memorandum of grounds of appeal and that the similarly placed accused has been granted suspension of sentence by this Court in Crl.MP(MD)No.14377 of 2024 dated 27.12.2024, we are inclined to suspend the sentence of the petitioner/ A11.

8. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment imposed on the petitioner herein alone is suspended pending the Appeal, 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 learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam.

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.



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iii. The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m., until further orders.

sd/-
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Sub-Assistant Registrar (C.S.-I/ II /III/ IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

bala
To

1. The Additional District and Sessions Judge,
(Fast Track Court), Kumbakonam.

2. The Superintendent,
Central Prison,
Trichy.

3. The Inspector of Police,
Swamymalai Police Station,
Thanjavur District.

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



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ORDER
IN
CRL MP(MD) No.1406 of 2025
Date :23/07/2025

PS/SAR.24.07.2025 6P/6C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023