



CRL MP(MD) No. 1513 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED:11.08.2025

CORAM

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

**CRL MP(MD) No. 1513 of 2025
in
Crl.A(MD)No.135 of 2025**

1. C..Senthil Kumar @ Vakkil Kumar
2. A.Chandran
3. A.Murugesan

.....Petitioners

Vs

The Inspector of Police
Veeravanallur Police Station,
Tirunelveli District,
Tirunelveli

.....Respondent

Prayer: Petition filed under Section 430 of B.N.S.S to suspend the sentence and grant bail to the appellants/ A1 to A3 against the judgment dated 20.01.2025 in S.C.No.387 of 2018 on the file of the learned I Additional Sessions Judge, Tirunelveli for the offence in Crime No246 of 2014 on the file of the respondent police.

For Petitioners : Mr.T.Lajapathiroy, Senior Counsel
for Mrs. Seeni Ayed Amma
for M/s. Roy and Roy Associates
For Respondent : Mr.A.Thiruvadikumar
Additional Public Prosecutor



CRL MP(MD) No. 1513 of 2025

ORDER

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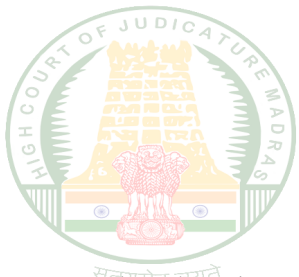
[Order of the Court was made by A.D.JAGADISH CHANDIRA, J.]

Seeking to suspend the sentence imposed on the petitioners by the learned I Additional Sessions Judge, Tirunelveli , *vide* Judgment dated 20.01.2025 in S.C.No.387 of 2018, they have filed this criminal miscellaneous petition.

2. The petitioners stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
148 of IPC	Two years rigorous imprisonment each	Rs.5,00/- each i/d to under go two month simple imprisonment
449 of IPC	Life Imprisonment each	Rs.1000/- each i/d to under go six month simple imprisonment
302 r/w.109 of IPC	Life Imprisonment each	Rs.1000/- each i/d to under go six month simple imprisonment
506(2) of IPC (as against A1 alone)	Two years simple imprisonment	Rs.500/- i/d to undergo two years simple imprisonment.

3. The case of the prosecution is that due to previous enmity regarding murder case incidents there was an enmity between the accused persons and the deceased. On 29.10.2014 at about 8.00 a.m, when the defacto complainant namely Selvaraj and the witnesses Abimannan, Kasidurai Prabhakaran were standing in front of Selvaraj's house and planning to attend agriculture work, A9 and All arrived there in a two

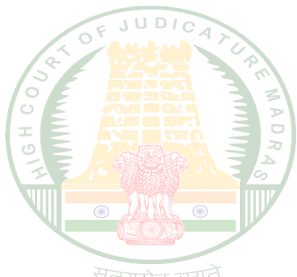


CRL MP(MD) No. 1513 of 2025

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wheeler bearing registration No. TN 72 AB 8255 while so, A10 and A14 came in another one motorcycle bearing registration No. TN 76 T 2674 and all the accused joined together and criminally trespassed into the house of the deceased and attacked him with wooden log and sickle and caused his death . Al threatened the defacto complainant with dire consequences. Hence the case.

4. The learned Senior Counsel appearing for the petitioners would submit that the presence of P.W.1 at the scene of occurrence is doubtful. The deceased is the son of P.W.1 and against whom several cases of attempt murder and murder are pending on the file of the Veeravanallur Police Station, Ambasamudram Police Station, Kallidaikurichi Police Station and Mukkudal Police Station and as such there was enmity in the locality. P.W.1 has stated that the accused had come there in an innova car, however it has been disproved during the cross examination of P.W.1 and P.W.26. Further the trial Court failed to take into consideration the discrepancies in the evidence of witnesses with regard to the number of assailants and the vehicle in which they are said to have come to the place occurrence. In so far as the second petitioner is concerned he had been falsely implicated in this case since the police had enmity since he had preferred a private complaint against the Sub Inspector of Police for which a case has been registered against him in Crime No. 211 of 2021. He further submitted that in this case the incident had happened during the year 2014



CRL MP(MD) No. 1513 of 2025

and the petitioners were on bail during trial and they have not misused the liberty granted to them and therefore, he prayed for suspension of sentence.

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5. The learned Additional Public Prosecutor appearing for the respondent – Police, would submit that due to previous enmity all the accused assaulted the deceased with deadly weapons and caused his death thereby, he would vehemently oppose for grant of bail to the petitioners.

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

7. It is an application of suspension of sentence. We would not propose to delve deep into the evidence at this stage. Having gone through the records, we are of the opinion that it is a fit case for grant of suspension of sentence to the petitioners.

8. Accordingly, the criminal miscellaneous petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioners herein is suspended, subject to the following conditions:

- i. The petitioners are directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Additional Sessions Judge, Tirunelveli
- ii. The sureties shall affix their photographs and Left Thumb



CRL MP(MD) No. 1513 of 2025

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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 petitioners shall stay at Chengalpattu and report before the Inspector of Police, Chengalpattu Town Police Station, daily at 10.30 a.m., until further orders.
- iv. It is made clear that the petitioner shall not enter into the jurisdictional limits of the respondent Police Station until further orders.

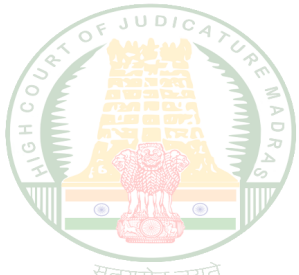
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Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

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TO

- 1 THE I ADDITIONAL SESSIONS JUDGE, TIRUNELVELI.
- 2 THE SUPERINTENDENT, CENTRAL PRISON, PALAYAMKOTTAI, TIRUNELVELI.
- 3 THE INSPECTOR OF POLICE, VEERAVANALLUR POLICE STATION, TIRUNELVELI DISTRICT, TIRUNELVELI.
- 4 THE INSPECTOR OF POLICE, CHENGALPATTU TOWN POLICE STATION.



CRL MP(MD) No. 1513 of 2025

5 THE ADDITIONAL PUBLIC PROSECUTOR, MADURAI BENCH OF MADRAS
HIGH COURT, MADURAI.

+1 CC to M/s.ROY AND ROY ASSOCIATES, Advocate (SR-8721[I] dated
12/08/2025)

ORDER
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in
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Date :11/08/2025

NBF/SAR- /13/08/2025/ 6P/7C

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