



Crl.M.P.(MD)No.2881 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 16.04.2025

CORAM

THE HONOURABLE MR JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.2881 of 2025

in Crl.A.(MD)No.282 of 2025

Guru @ Guruvaiah
S/o.Anguchamy Thevar,
North Street, Narippaiyur,
Ramanathapuram District.

Petitioner(s)

versus

State of Tamil Nadu, Rep. by
The Inspector of Police,
Sayalkudi Police Station,
Ramanathapuram District.

Respondent(s)

For Petitioner(s):

Mr.A.Karthigaivel
Advocate

For Respondent(s):

Mr.A.S.Abul Kalam Azad,
Government Advocate (Crl. Side)

ORDER

The petitioner is the 1st accused in S.C.No.82 of 2018 on the file of the Mahila Court (Fast Track Court), Ramanathapuram. He was tried along with two other accused for the offence under Section 306 IPC. In conclusion of trial, the Trial Court, by its Judgment dated 07.01.2025, found the petitioner guilty for the offence under



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Section 306 IPC and convicted and sentenced him to undergo five years rigorous imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo two months simple imprisonment. Challenging the Judgment of conviction and sentence, the petitioner has preferred an appeal in Crl.A.(MD)No.282 of 2025 and the same is admitted by this Court today. The petitioner has also moved this petition to suspend the sentence imposed by the trial Court.

2. The allegation as against the petitioner/1st accused is that he spread over a rumor in the village that there is illegal intimacy between him and the deceased. On 05.05.2011, the 2nd and 3rd accused went to the Hotel, which was run by the deceased for buying the tiffin and they abused and molested the character of the deceased. Frustrated over the same, the deceased committed suicide.

3. The learned counsel appearing for the petitioner submits that there is no motive between the petitioner and the deceased. Further, regarding the illegal intimacy between the deceased and the petitioner, there is no iota of evidence to prove the specific overt act as against the petitioner. According to the petitioner, one Subbaiah was examined as a defence witness and he has clearly deposed that before the date of occurrence, there was a quarrel between the deceased and her husband and at that time, he pacified the deceased and her husband. According to him, the quarrel between the deceased and her husband alone is the reason for committing



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suicide. The learned counsel further submits that the co-accused, namely, 2nd and 3rd accused have also moved a petition for suspending the sentence imposed by the trial Court in Crl.M.P.(MD)No.2100 of 2025 and this Court has considered the case of the co-accused and granted suspension of sentence, by its order dated 28.02.2025.

Therefore, the petitioner's case shall also be considered for suspension of sentence.

4. The learned Government Advocate (Crl. Side) has also confirmed that the sentence imposed on the co-accused has been suspended by this Court in Crl.M.P. (MD)No.2100 of 2025.

5. The petitioner has raised certain arguable points, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. Further, the sentence imposed on the co-accused has been suspended by this Court, in Crl.M.P.(MD)No.2100 of 2025, dated 28.02.2025. Considering the points raised by the petitioner, his period of incarceration and for the reasons that the appeal could not be taken up immediately, this Court is inclined to allow this petition.

6. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the Mahila Court (Fast



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Track Court), Ramanathapuram and on further condition that the petitioner shall stay
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at Tirunelveli and report before the Inspector of Police, Tirunelveli Town Police
Station, Tirunelveli, daily at 10.30 a.m. until further orders.

sd/-
16/04/2025

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17/04/2025

Sub-Assistant Registrar ()
Madurai Bench of Madras High Court,
Madurai - 625 023.

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To

1. The Mahila Court (Fast Track Court), Ramanathapuram.
 2. The Superintendent, Central Prison, Madurai.
 3. The Inspector of Police, Sayalkudi Police Station, Ramanathapuram District.
 4. The Inspector of Police, Tirunelveli Town Police Station, Tirunelveli.
 5. The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.
- +1 CC to M/s.A.KARTHIGAIVEL, Advocate (SR-4359[I] dated 17/04/2025)

ORDER
IN
CRL MP(MD) No.2881 of 2025
in
Crl.A.(MD)No.282 of 2025
Date :16/04/2025



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NBF/SAR/ (17/04/2025) 5P/7C

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