



CRL MP(MD) No. 6873 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 06-08-2025

CORAM

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

CRL MP(MD) No. 6873 of 2024
in
Crl.A(MD)No.201 of 2023

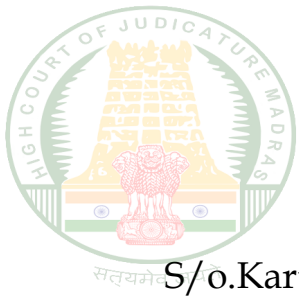
1. Irulandi
S/o Ramaiya Thevar,
Vekkaliyamman Kovil street, Section
Office Road, Anna nagar, Madurai
District. (Now confining as convict
Prisoner at Madurai Central Prison,
Madurai)

Petitioner(s)

Vs

1. The Assistant Commissioner of
Police
Anna nagar, (Law and Order) circle,
Madurai city. Anna nagar Police
station, Madurai District. Crime No.
2039 of 2017

2.Pandi,



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S/o.Karuppaiah, Vekkaliyamman
Kovil Street, Anna Nagar, Madurai
(R2 is impleaded as per order of the
Court dt.30.11.2023 in Crl.MP(md)
6553/23 in Crl.A(md)Nos.186,
201/2023 by MSJ adn RSVJ)

Respondent(s)

Prayer: This petition is filed under Section 430 of BNSS (U/s 389(1), Crl.P.C., praying to suspend the sentence and release the petitioner on bail pending disposal of this appeal before this Court against the judgment in Spl.S.C.No.24 of 2018 on the file of the III Additional District and Sessions Court(PCR), Madurai, dated 03.02.2023.

For Petitioner(s): Dr.R.ALAGUMANI
Rameshkumar.S
Dhanasekaran.B

For Respondent(s): Mr.A.Thiruvadikumar,
Additional Public Prosecutor For
R1
M/s T.Sugadev For R2

ORDER

(Order of the Court was made by A.D.JAGADISH CHANDIRA J.)

Seeking to suspend the sentence imposed on the petitioner/ A1 by the III



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Additional District and Sessions Court (PCR), Madurai, vide Judgment dated
03.02.2023 in Spl.S.C.No.24 of 2018, he has filed this criminal miscellaneous petition.

2.The petitioner stands convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
Section 3(1)(s) of Scheduled Caste and Scheduled Tribes(Prevention of Atrocities) Act r/w 34 IPC	To undergo 5 years Imprisonment	Rs.500/- in default to undergo six months simple imprisonment
Section 307 r/w 34 of IPC, r/w 3(2)(v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act	To undergo 10 years imprisonment	Rs.1,000/- in default to undergo six months simple imprisonment
Section 302 r/w 34 of IPC, r/w 3(2)(v) of Scheduled Caste and Scheduled Tribes (Prevention of Atrocities) Act	To undergo Life Imprisonment	Rs.2,000/- in default to undergo one year simple imprisonment
The sentences shall run concurrently		

3.The case of the prosecution is that the petitioner/A2 and her husband/A1 are the residents of the upstairs portion of the house while PW1 and



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his wife, deceased Kachammal were the occupants of the ground floor portion. The petitioner and her husband used to pick up quarrel with P.W.1 and the deceased Kachammal by referring their caste name and by frequently knocking the door unnecessarily and in such circumstances, on 25.11.2017 also, they picked up such a quarrel and during such quarrel, the petitioner had attacked P.W.1 with a hook and also his wife, when his wife intruded in the quarrel she was also attacked and the petitioner's wife A2 also joined the quarrel and attacked P.W.1's wife with casuarina stick causing severe injuries, as a result, she had succumbed to the injuries in the hospital despite the treatment and thereby the petitioner and his wife stood charged and convicted for the offences referred to above.

4.The learned counsel appearing for the petitioner would submit that the petitioner's family and the victim's family are neighbours and even as per the prosecution, the incident had happened only during a quarrel on account of suspicion of theft of money and not on account of any communal enmity or hatred. He would further submit that the weapon said to be used by him is hook used for lifting jute bags and the incident had taken place on 25.11.2017 during a quarrel and the victim had passed away on the next day. There was no pre meditation or motive on the part of the petitioner to cause death and it had happened during a quarrel.



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5.The learned Additional Public Prosecutor appearing for the respondent – Police, on instructions, would submit that the petitioner had caused injuries with a hook used for lifting jute bags and the petitioner's wife had assaulted the deceased with casuarina stick and thereby victim sustained head injuries and she was taken to the hospital and she died on the next day. He would further submit that the incident had happened during the night hours during a quarrel and both the petitioner and P.W.1 were in an inebriated condition.

6.The learned counsel appearing for the intervenor/de-facto complainant would vehemently oppose for grant of bail. The petitioner is the husband of A2 and the weapon alleged to have been used by him is hook.

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

8.It is an application of suspension of sentence. The incident had happened during a quarrel when the petitioner was in an inebriated condition. We would not propose to delve deep into the evidence at this stage. Having gone



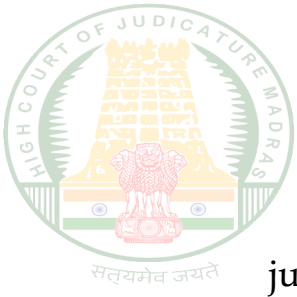
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through the records and taking into consideration the facts and circumstances of the case, we are of the opinion that it is a fit case for grant of interim suspension of sentence to the petitioner.

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9. 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 III Additional District and Sessions Court(PCR), Madurai.
- ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the concerned Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.
- iii. The petitioner shall stay at Viluppuram and report before the Inspector of Police, Viluppuram 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



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jurisdictional limits of the respondent Police Station until further orders.

Sd/-
06/08/2025

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/08/2025
Sub-Assistant Registrar (CS-I/II/III/IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

NS
To

- 1.III Additional District and Sessions Court(PCR), Madurai.
- 2.The Assistant Commissioner of Police
Anna nagar, (Law and Order) circle, Madurai city.
Anna nagar Policestation, Madurai District.
- 3.The Superintendent, Central Prison, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

Copy to

The Inspector of Police, Viluppuram Town Police Station, Viluppuram.



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ORDER IN
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in
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PS/07.08.2025 8P/6C

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