



CRL MP(MD) No.7122 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

(Criminal Jurisdiction)

Date : 30/06/2025

PRESENT

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

CRL MP(MD) No.7122 of 2024
IN
CRL A(MD) No.596 of 2024

AYYAPPAN
S/O.SANKAR, AMBALAKARA THERU, KARUPPAR EAST,
MADUKKUR, PATTUKKOTTAI TALUK, THANJAVUR
DISTRICT. (NOW CONFINED AS CONVICT PRISONER
IN TRICHY CENTRAL P

... PETITIONER(S)

Vs

THE INSPECTOR OF POLICE
MARUVUR POLICE STATION, THANJAVUR DISTRICT.
CR.NO.257/2022

... RESPONDENT(S)

For Petitioner : Mr.R. Alagumani
Advocate.
For Respondent : Mr.S. Ravi
Additional Public Prosecutor



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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 petitioner by the learned Principal Sessions Judge, Thanjavur, vide Judgment dated 18.12.2023 in S.C.No.70 of 2023, 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 I.P.C.	To undergo life imprisonment	Rs.5000/- i/d to under go three month simple imprisonment

3. The petitioner is the son-in-law of the deceased. The case of the prosecution is that on 07.10.2022 at about 19.15 hrs there was a quarrel between the petitioner and his wife and when the deceased intervened and questioned the same, the petitioner said to have attacked the deceased with wooden log and caused his death. Hence the case.

4. The Learned counsel appearing for the petitioner would submit that even as

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per the prosecution the alleged occurrence said to have taken place during quarrel between the petitioner and P.W.6/Ritamary, wife of the petitioner. The deceased is said to have intervened and at that time the offence is said to have been committed. There was no intention for the petitioner to commit the murder of the deceased. Further P.W.5, who is the daughter of the deceased and wife of the petitioner has not supported the case of the prosecution. Apart from that are several arguable points and the appeal is of year 2024 and the petitioner is the custody from the date of judgment and the likelihood of the appeal being taken up for final hearing in the near future is also not possible and therefore, he prayed for suspension of sentence.

5. The learned Additional Public Prosecutor appearing for the respondent – Police, would submit that it is case where the petitioner has committed murder of his father -in-law. The petitioner had demanded his in-laws to settle the hut in the name of himself and since the deceased had refused he had assaulted him with wooden log twice on his head resulting in his death, thereby, he would vehemently oppose for grant of bail to the petitioner.

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



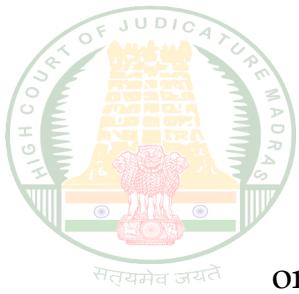
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of the opinion that it is a fit case for grant of suspension of sentence to the petitioner.

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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 learned Principal Sessions Judge, Thanjavur.
- 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 Kanyakumari and report before the Inspector of Police, Kanyakumari 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



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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 PRINCIPAL SESSIONS JUDGE,
THANJAVUR.

2 THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.

3 THE INSPECTOR OF POLICE
KANYAKUMARI POLICE STATION,
KANYAKUMARI.

4 THE INSPECTOR OF POLICE
MARUVUR POLICE STATION,
THANJAVUR DISTRICT.

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

ORDER

IN

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IN

CRL A(MD) No.596 of 2024

Date :30/06/2025

HPS/30.06.2025 /5P/6C

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

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