



Crl.M.P.(MD).No.7356 of 2024

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2025

CORAM:

THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA
and
THE HON'BLE MRS JUSTICE L.VICTORIA GOWRI

Crl.M.P.(MD).No.7356 of 2024
in
Crl.A.(MD).No.615 of 2024

Kasi Eswaran

Petitioner(s)

Vs

The State represented by,
The Inspector of Police,
Town Police Station,
Srivilliputhur,
Virudhunagar District.
(Crime No.273 of 2021)

... Respondent

Prayer: Petition filed under Section 430 of B.N.S.S to grant bail to the petitioner by suspending the sentence imposed by the learned Sessions Judge, Fast Track Mahila Court, Virudhunagar District at Srivilliputhur in S.C.No.187 of 2021 dated 13.03.2024, pending disposal of the main criminal appeal.



Crl.M.P.(MD).No.7356 of 2024

WEB COPY For Petitioner : Mr.S.M.Anantha Murugan
For Respondent : Mr.B.Nambi Selvan
Additional Public Prosecutor

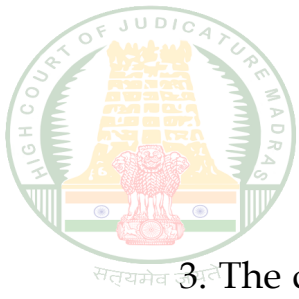
ORDER

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

Seeking to suspend the sentence imposed on the petitioner by the learned Sessions Judge, Fast Track Mahila, Court, Virudhunagar District at Srivilliputhur, vide Judgment dated 12.03.2024 in S.C.No.187 of 2021, 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 of IPC	Life imprisonment	Rs.5000/- i/d to undergo one year rigorous imprisonment
324 of IPC (2 counts)	one year rigorous Imprisonment	Rs.1000/- i/d to undergo rigorous imprisonment of one month each



Crl.M.P.(MD).No.7356 of 2024

WEB COPY

3. The case of the prosecution is that on 29.06.2021, at about 09.00 pm, due to matrimonial dispute, a quarrel arouse between the petitioner and his wife namely Pandidevi and the petitioner is said to have brutally attacked his wife with wooden log. Upon hearing the said incident, P.W.2 and P.W.3 rushed to the spot and tried to resolve the issue and secure Pandidevi. By that time, the petitioner abused the defacto complainant's wife with filthy language and stabbed her on the neck with his knife. When P.W.2 and P.W.3 tried to stop the petitioner, he stabbed P.W.2 and P.W.3 and escaped from the scene of occurrence.

4. The learned counsel appearing for the petitioner would submit that though there are several arguable points, even as per the prosecution, the alleged occurrence is said to have taken place during the quarrel between the petitioner and his wife. When the petitioner and his wife were fighting with each other, the deceased and her family members have intervened and tried to attack the petitioner. There was no intention, motive or premeditation on the part of the petitioner to cause the death and therefore, he prayed for suspension of sentence.

5. The learned Additional Public Prosecutor appearing for the respondent-police would submit that the marriage between the petitioner and his wife was



Crl.M.P.(MD).No.7356 of 2024

WEB COPY

solemnized in the year 2020. The petitioner used to abuse/assault his wife brutally and on several occasions. The defacto complainant and his wife deceased Rajalakshmi used to settle the issues. On 29.06.2021, at about 09.00 pm, the petitioner attacked his wife with sticks and therefore, the defacto complainant, his wife and few others went to the scene of occurrence for peace talk. When the deceased tried to solve the matter, the petitioner with an ulterior motive, abused her with filthy language and stabbed on her neck with his knife. When P.W.2 and P.W.3 tried to stop the petitioner, he attacked them and further threatened the defacto complainant with dire consequences and fled away from the scene of occurrence.

6. The learned Additional Public Prosecutor appearing for the respondent-police would therefore submit that due to previous enmity the petitioner assaulted the deceased with deadly weapon and caused her death. Hence, he would vehemently oppose for grant of bail to the petitioner.

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

8. 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



Crl.M.P.(MD).No.7356 of 2024

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

9. Accordingly, the criminal miscellaneous petitions 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) each with two sureties, each for a like sum to the satisfaction of the Additional Mahila Court, Srivilliputhur;
- 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 Chidambaram and report before the Inspector of Police, Chidambaram Town Police Station, daily at 10.30 a.m., until further orders;



Crl.M.P.(MD).No.7356 of 2024

iv. It is made clear that the petitioner shall not enter into the jurisdictional limits
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of the respondent Police Station until further orders.

sd/-
13/08/2025

/ TRUE COPY /

18/08/2025
Sub-Assistant Registrar
Madurai Bench of Madras High Court,
Madurai - 625 023.

rgm

To

1. The Sessions Judge, Fast Track Mahila Court,
Virudhunagar District at Srivilliputhur.
2. The Additional Mahila Court, Srivilliputhur.
3. The Inspector of Police, Town Police Station,
Srivilliputhur, Virudhunagar District.
4. The Superintendent, Central Prison, Madurai.
5. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



Crl.M.P.(MD).No.7356 of 2024

Copy to

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

+1 CC to M/s.S.M.ANANTHA MURUGAN, Advocate (SR-8761[I] dated 13/08/2025)

ORDER
IN
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in
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Date :13/08/2025

PR/18.08.2025 7P/8C

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