



CRL.MP(MD) No.10843 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 12.08.2025

CORAM

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

**CRL.MP(MD) No.10843 of 2024
in
CrI.A(MD)No.823 of 2024**

Sathya Mohan

...Petitioner / Appellant

Vs.

**State rep. by
The Inspector of Police
Ezhayirampannai Police Station,
Vembakottai Circle
Virudhunagar District.
(Crime No.89 of 2014)**

..... Respondent/ Respondent

Prayer : Petition filed under Section 430 (1) of BNSS to suspend the sentence imposed on the petitioner by the learned Sessions Judge, Fast Track Mahila Court, Virudhunagar District at Srivilliputhur by its judgment in S.C.No.211 of 2015 dated 19.10.2023 and enlarge him on bail pending disposal of the Criminal Appeal.



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For Petitioner : Mr.M.Jegadeesh Pandian

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 Sessions Judge, Fast Track Mahila Court, Virudhunagar District at Srivilliputhur, *vide* Judgment in S.C.No.211 of 2015 dated 19.10.2023, 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 IPC	To undergo life imprisonment	Rs.5,000/- i/d to under go six months rigorous imprisonment
201 IPC	To undergo seven years rigorous imprisonment	Rs.2,000/- i/d to under go three months rigorous imprisonment

<https://www.mhc.tn.gov.in/judis> 3. The case of the prosecution is that the petitioner is a native of



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Karisalpatti, who had a pattern of unstable marital relationships and domestic disputes. He first married one Subbulakshmi of Aalandhur village near Seevalaperi, but separated. In the year 2002, he married Kaliyammal, but they were separated within four months. Subsequently, he married Seeniammal as his third wife, had children with her, and later separated. After these separations, he resided for two years in a hut built under a tamarind tree on the eastern bank of the Karuppasamy temple tank in his native village. It became a regular practice for him to cohabit with different women, quarrel, and eventually drive them away. In the year 2011, the accused started living with one Pechiyammal near the same temple tank. She frequently left the hut and was reportedly involved in prostitution. On 16.04.2014 at about 11.00 p.m., the accused received a phone call where the caller mockingly stated, "Ask Paechiyammal who I am; she was with me just yesterday". Due to anger and despite prior warnings to her, the accused planned to kill Pechiyammal. He kept a rolling wooden log (uruttu kattai) in his hut. On 18.04.2014 at about 8.00 a.m., at their hut under the tamarind tree on the eastern bank of the temple tank, the petitioner brutally attacked Pechiyammal with the log. He inflicted fatal injuries to her. After confirming her death, he buried the body at the scene to destroy evidence and conceal the crime. Hence, the respondent police has registered a case in Crime No.89 of 2014 for the offence under Sections 201 and 302 IPC.



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4. The learned counsel appearing for the petitioner would submit that it is a case of circumstantial evidence and even as per the prosecution, the death of the victim is said to be on 18.04.2014 and the report had been made to the respondent police on 02.05.2014 and the accused is said to be arrested on 26.05.2014. He would submit that the witnesses P.W.8 and P.W.9 who have been examined for the last scene theory have not supported the prosecution case and they have been treated as hostile. Apart from the above, the prosecution has relied on the evidence of P.W.13 for extra judicial confession which cannot be believed. The trial Court ignoring all those facts and convicted the petitioner. The petitioner was on bail during trial and he has not violated the liberty granted to him during his bail and after conviction only the petitioner is in prison. He would also submit that there are several other arguable points in this case and therefore, he prayed for suspension of sentence.

5. The respondent has filed a counter. The learned Additional Public Prosecutor would submit that the petitioner was living together with victim, suspecting that the victim was involved in immoral activities the petitioner had committed the murder. The petitioner and the victim were living in a hut outside the village and that he has not given any explanation with regard to the death of the victim and further the medical evidence also supported the prosecution case,



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thereby he would vehemently opposed for grant of bail to the petitioner.

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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 petitioner.

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 Sessions Judge, Fast Track Mahila Court, Virudhunagar District at 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



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Bank passbook to ensure their identity.

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iii. The petitioner shall appear and sign before the learned Sessions Judge, Fast Track Mahila Court, Virudhunagar District at Srivilliputhur at 10.30 a.m., on the first working day of every English calendar month, until further orders.

sd/-
12/08/2025

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

RM
TO

1 THE SESSIONS JUDGE,
FAST TRACK MAHILA COURT,
VIRUDHUNAGAR DISTRICT AT SRIVILLIPUTHUR.

2 THE INSPECTOR OF POLICE,
ELAYEERAMPANNAI POLICE STATION,
VEMBAKOTTAI CIRCLE,
VIRUDHUNAGAR DISTRICT.

3 THE SUPERINTENDENT,
CENTRAL PRISON,
MADURAI.

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

<https://www.mmc.tn.gov.in/jdis>



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ORDER
IN
CRL MP(MD) No.10843 of 2024
IN
CRL A(MD) No.823 of 2024
Date :12/08/2025

NM/13.08.2025/ 7P/6C

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