



Crl.M.P(MD).No.11086 of 2024

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED : 13.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE A.D.JAGADISH CHANDIRA
and
THE HONOURABLE MRS.JUSTICE L. VICTORIA GOWRI

Crl.M.P(MD).No.11086 of 2024 in
Crl.A.(MD).No.843 of 2024

Shanmugam

... Petitioner

vs.

State of Tamil Nadu
rep. by the Inspector of Police,
Natham Police Station,
Dindigul District.
(Crime No.483 of 2019)

... Respondents

PRAYER: Petition filed under Section 430(1) of BNSS to suspend the sentence imposed on the petitioner by the Principal Sessions Court, Dindigul in S.C.No.35 of 2020, dated 27.08.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal.

For Petitioner : Mr.K.P.Sankarakumarakurubaran

For Respondents : Mr.A.Thiruvadikumar
Additional Public Prosecutor



Crl.M.P(MD).No.11086 of 2024

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ORDER

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

Seeking to suspend the sentence imposed on the petitioner by the Principal Sessions Court, Dindigul, vide Judgment dated 27.08.2024 in S.C.No.35 of 2020, 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.10,000/- i/d to undergo one year Simple imprisonment
506(ii) IPC	To undergo one year rigorous imprisonment	Rs.5,000/- i/d to undergo six months Simple imprisonment

2. The case of the prosecution is that the deceased had illegal intimacy with the wife of the petitioner and hence, the petitioner had committed the murder of the deceased. Hence, the complaint.

3. Learned counsel for the petitioner submits that, even as per the



Crl.M.P(MD).No.11086 of 2024

prosecution's case, the deceased was having an illegal relationship with the wife of the petitioner, and the deceased and the wife of the petitioner were caught red-handed in a compromising situation. It is further submitted that, as per the confession, the petitioner is said to have attacked the deceased due to sustained provocation. Learned counsel would also submit that there are several arguable points in favor of the petitioner, and the likelihood of the appeal being taken up for final hearing in the near future is remote. Therefore, he prays for suspension of sentence.

4. Learned Additional Public Prosecutor appearing for the respondent – Police, objected to grant bail to the petitioner. As the evidence of PW.1 to PW.3 has clearly spoken about the occurrence and motive. The Trial Court believed their evidence and committed the accused.

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

6. 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

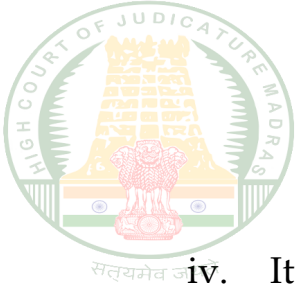


Crl.M.P(MD).No.11086 of 2024

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

7. 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, Dindigul.
- 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.11086 of 2024

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

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

trp

To:

1. The Principal Sessions Judge, Dindigul.
2. The Inspector of Police,
Natham Police Station,Dindigul District.
3. The Superintendent of Prison, Central Prison, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madars High Court, Madurai.

Copy to

The Inspector of Police, Chidambaram Town Police Station,

+1 CC to M/s.K.P.SANKARAKUMARAKURUBARAN, Advocate (SR-8783[I] dated 13/08/2025)



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Crl.M.P(MD).No.11086 of 2024

ORDER
IN
CRL MP(MD) No.11086 of 2024
Date :13/08/2025

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