



WEB COPY



Crl.M.P.(MD)No.15
in Crl.A.(MD)No.1167 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-11-2025

CORAM

THE HONOURABLE MR JUSTICE K.MURALI SHANKAR

CRL MP(MD) No.15952 of 2025

in

CRL A(MD) No.1167 of 2025

Jeyanthi

**Petitioner/
Appellant/
Sole Accused**

Vs

1.State of Tamil Nadu represented by
The Deputy Superintendent of Police,
Trichy.

2.State of Tamil Nadu represented by
The Inspector of Police,
Samayapuram Police Station,
Trichy.
(Crime No.59 of 2023)

**1st & 2nd Respondent/
Dejure Complainant**

3.Velmurugan

**3rd Respondent/
Defacto Complainant**

Prayer in CRL MP(MD).15952 of 2025 : This Criminal Miscellaneous Petition filed under Section 430(1) B.N.S.S. praying to suspend the sentence of imprisonment



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imposed by the learned I Additional District and Sessions Judge (PCR), Trichy in Special Sessions Case No.15 of 2024 by the judgment dated 13.10.2025 and enlarge the petitioner / appellant on bail, pending disposal of the above said criminal appeal.

Prayer in CRL A(MD).1167 of 2025 : This Criminal Appeal filed under Section 415(2) B.N.S.S. praying to call for record and set aside the judgment and conviction dated 13.10.2025 by the learned I Additional District and Sessions Judge (PCR), Trichy in Special Sessions Case No.15 of 2024 and acquit the appellant.

For Petitioner: Mr.T.J.Ebenezer Charles, Advocate

For Respondents: Mr.K.Gnanasekaran,
Government Advocate (Criminal Side) for R1 & R2

Mr.S.Ramesh Kumar, Advocate for R3

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence of imprisonment imposed on the petitioner / sole accused by the learned I Additional District and Sessions Judge, Special Court for trial of SC/ST (POA) Act cases, Tiruchirappalli, in Spl.S.C.No.15 of 2024 dated 13.10.2025, till the disposal of the appeal.

2. The case of the prosecution is that the petitioner / sole accused, by creating bogus community certificate that she belongs to Hindu Arunthathiyar, had participated in the election and hence, FIR came to be registered in Crime No.59 of 2023.



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3. The respondent police, after completing the investigation, has filed a final report for the offences under Sections 171(G), 193, 465, 466, 468 and 471 IPC and Section 3(l)(q) of the SC/ST (PoA) Act against the petitioner herein and the case was taken on file in Spl.S.C.No.15 of 2024 on the file of the Special Court for trial of SC/ST (POA) Act cases, Tiruchirappalli.

4. During trial, the prosecution examined 12 witnesses as P.W.1 to P.W.12 and exhibited 13 documents as Ex.P.1 to Ex.P.13. The defence adduced neither oral nor documentary evidence.

5. The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, passed the impugned judgment dated 13.10.2025 convicting the petitioner for the offences under Sections 465, 468 and 471 IPC and Section 466 IPC r/w 3(l)(q) of the SC/ST (PoA) Act and sentenced her to undergo simple imprisonment for 2 years for the offence under Section 465 IPC; to undergo 3 years simple imprisonment and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment for 3 months for the offence under Section 468 IPC; to undergo simple imprisonment for 2 years for the offence under Section 471 IPC and to undergo simple imprisonment for 3 years and to pay a fine of Rs.1,000/-, in



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default to undergo simple imprisonment for 3 months for the offence under Section 466 IPC r/w 3(1)(q) of the SC/ST (PoA) Act. The above sentences were ordered to be run concurrently. The trial Court has already suspended the sentence imposed on the petitioner vide order dated 13.10.2025 till 11.11.2025. Aggrieved by the impugned judgment of conviction and sentence, the accused has preferred the present Criminal Appeal along with the above miscellaneous petition for suspension of sentence.

6. The learned counsel appearing for the petitioner would submit that there are several infirmities in the prosecution case and further there are contradictions in material particulars between the evidence of the prosecution witnesses. He would further submit that the petitioner has already paid the fine amount.

7. The learned Government Advocate (Criminal Side) appearing for the respondents 1 and 2 would submit that there are enough materials available on record against the petitioner and hence, he strongly opposed to grant suspension of sentence.

8. The learned counsel appearing for the third respondent would submit that they are having serious objections to suspend the sentence imposed on the petitioner.



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9. This Court has carefully considered the rival contentions put forth by either side and also perused the materials available on record.

10. The learned counsel appearing for the petitioner would point out certain infirmities and inconsistencies in this case and also certain contradictions in material particulars. The fact remains that there are arguable points involved in this criminal appeal and further the criminal appeal is not likely to be taken up for final hearing in the near future and as such, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

11. In the result, the Criminal Miscellaneous Petition is **ordered**. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(i) The petitioner shall execute a bond for a sum of **Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, each for a like sum to the satisfaction of the I Additional District and Sessions Judge (PCR), Trichy;

(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 Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the trial Court once in a



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month i.e., on the first working day of every English calendar month at **10.30 a.m., until further orders** and if she is not able to appear before the trial Court on any day, she shall make arrangements to file an application under Section 355 B.N.S.S. and shall appear before the trial Court on any other day in lieu of the date of her absence, as directed by the trial Court.

11-11-2025

CSM

To

- 1.The I Additional District and Sessions Judge (PCR),
Trichy.
- 2.The Deputy Superintendent of Police,
Trichy.
- 3.The Inspector of Police,
Samayapuram Police Station,
Trichy.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.