



CRL.MP(MD) No. 104 of 2025

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED : 04.08.2025

CORAM

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

CRL.MP(MD) No. 104 of 2025
in
Crl.A(MD)No.12 of 2025

1.Suresh

2.Veeramalai Karthik

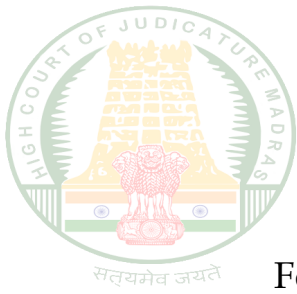
..... Petitioners / A1 & A2

Vs.

The Inspector of Police
Ramji Nagar Police Station,
Tiruchirappalli
(Crime No.786 of 2020)

..... Respondent

Prayer : Petition filed under Section 430 (1) of BNSS to enlarge the petitioners on bail by suspending the sentence imposed upon them in S.C.No.132 of 2020 on the file of the II Additional District and Sessions Judge, Tiruchirappalli, by judgment dated 29.08.2024.



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For Petitioner : Mr.C.Suresh Kannan

For Respondent : Mr.B.Nambiselvam,
Additional Public Prosecutor

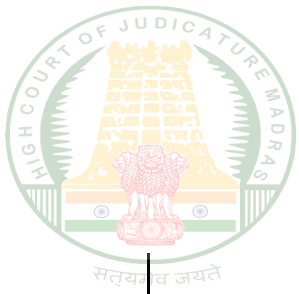
ORDER

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

Seeking to suspend the sentence imposed on the petitioners by the II Additional District and Sessions Judge, Tiruchirappalli, vide Judgment dated 29.08.2024 in S.C.No.132 of 2020, they have filed this Criminal Miscellaneous Petition.

2. The petitioners stand convicted and sentenced as under:

Accused	Section of Law	Sentence of imprisonment	Fine amount
A1	302 IPC	To undergo life imprisonment	Rs.5,000/- i/d to under go six months rigorous imprisonment



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A2	302 r/w.34 IPC	To undergo life imprisonment	Rs.5,000/- i/d to under go six months rigorous imprisonment
	506(ii) IPC	To undergo one year rigorous imprisonment	

3. The case of the prosecution is that the there was previous enmity of land dispute between the deceased Selvam/husband of PW.1 and the A2. Therefore, the deceased Selvam made a complaint before the Somarasampettai Police Station wherein the deceased Selvam and A2 appeared and the respondent Police had advised them to survey the land. Thereafter A.2/Veeramalai Karthik had engaged A1 and A3 to murder the deceased Selvam. On continuation of that, on 09.07.2020 at about 09.15 p.m., the appellants along with A3 went to the house of the deceased Selvam, with a common intention to murder him. The 1st petitioner stabbed the deceased Selvam in his abdomen while the 2nd petitioner was holding an aruval and the A3 attacked PW.2 and caused injury in her head. Hence the present complaint was lodged by respondent Police.



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4. The learned counsel appearing for the petitioner would submit that as per the prosecution the alleged occurrence is said to have taken place during the quarrel while surveying the land. As per the evidence of P.W.1, the respondent Police are said to have recorded the statement from the deceased prior to the surgery conducted on him, however, his statement has been suppressed by the prosecution. Further, the Doctor who has admitted the victim has recorded that the victim was conscious at the time of admission. Further, Dr.Bharani (P.W.14) who has admitted the victim in the hospital has stated that there were certain corrections in the accident register. Further, the victim was admitted on 09.07.2020 and he passed away on 15.07.2020 nearly after 6 days. There is a chance of modification and no other cases pending against them. 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 appearing for the respondent - Police, would submit that the petitioners/A1 and A2 had common intention to commit the murder, pursuant to which A2 inflicted a stab injury in the abdomen and A2 had also assaulted the victim with wooden log and the eyewitnesses have clearly narrated the specific



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overt act against the accused, thereby, he would vehemently oppose for grant of bail
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to the petitioners.

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 petitioners.

8. Accordingly, the Criminal Miscellaneous Petition is allowed and the substantive sentence of imprisonment alone imposed on the petitioners herein is suspended, subject to the following conditions:

i. The petitioners are directed to be enlarged on bail on executing a bond for Rs.10,000/- each (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge, Tiruchirappalli.

ii. The sureties shall affix their photographs and Left Thumb Impression in



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the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank
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passbook to ensure their identity.

iii. The petitioners shall stay at Kanyakumari District and report before the
Inspector of Police, Kottar Police Station, Nagercoil daily at 10.30 a.m., until further
orders.

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

sd/-
04/08/2025

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/08/2025

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

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TO:

1. II Additional District and Sessions Judge,
Tiruchirappalli.
2. The superintendent,
Central Prison,
Tiruchirappalli.
3. The Inspector of Police,
Kottar Police Station,
Nagarcoil.



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4. The Inspector of Police
Ramji Nagar Police Station,
Tiruchirappalli.

5. Additional Public Prosecutor,
Madurai Bench of Madras High court,
Madurai.

+1 CC to M/s.C.SURESH KANNAN, Advocate (SR-8364[I] dated 04/08/2025)

ORDER
IN
CRL MP(MD) No.104 of 2025
Date :04/08/2025

PS/SAR.05.08.2025 7P/7C

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