



WEB COPY

CRL MP No. 719 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**RESERVED ON : 23-02-2026**

**PRONOUNCED ON : 04-03-2026**

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**THE HON'BLE MR.JUSTICE SUNDER MOHAN**

**CRL MP No. 719 of 2026**

**AND**

**CRL RC No. 123 of 2026**

Muthusamy

..Petitioner

Vs

State rep.by, Inspector of Police,  
Thudiyalur Police Station,  
Coimbatore District.  
Cr.No.325/2013.

..Respondent

Prayer: Criminal Miscellaneous Petition filed under Section 430(1) of the BNSS, 2023, to suspend the sentence of imprisonment, as confirmed with partial modification by the learned V Additional District and Sessions Judge, Coimbatore, in C.A.No.337 of 2019 dated 17.11.2025, arising out of the judgment of conviction and sentence dated 14.10.2019 passed by the learned Principal Assistant Sessions Judge, Coimbatore, in SC.No.209 of 2015, pending disposal of the present criminal revision petition.

For Petitioner:

M/s.A.Ram Kumar

For Respondent:

Mr.R.Vinothraja  
Government Advocate (Criminal Side)



### Order

The petitioner has preferred the above revision challenging the judgment passed by the learned V Additional District and Sessions Judge, Coimbatore, in C.A.No.337 of 2019 dated 17.11.2025, partially modifying the conviction and sentence imposed by the learned Principal Assistant Sessions Judge, Coimbatore, vide judgment in S.C.No.209 of 2015 dated 14.10.2019 as follows:

| Offence under Section                            | Sentence imposed                                                            |
|--------------------------------------------------|-----------------------------------------------------------------------------|
| 326 (2 counts) IPC                               | For each count-RI for 4 years with fine of Rs.10,000/- i/d RI for 6 months. |
| 324 (2 counts) IPC                               | For each count-RI for 6 months                                              |
| The sentences were directed to run concurrently. |                                                                             |

The instant petition has been filed to suspend the sentence imposed on the petitioner, pending disposal of the above revision.

2. The case of the prosecution is that the petitioner was working as a Museum Keeper and was a member of the Non-Teaching Staff in the College where the witnesses were working as Professors; that on 03.05.2013 at about 10.30 a.m., when the petitioner entered into the Zoology Lab, where a practical examination for under graduate students were going on, he was reprimanded by PW13, a Professor in the College; that later at about 1.30 p.m., when PW14 and another Professor were verifying the marks in the practical examination, the accused entered into the Lab with concentrated Sulphuric Acid and poured the acid on the head of PW13 and poured the remaining acid on the head of PW14;



that both of them sustained burn injuries; and thus, the petitioner committed the aforesaid offences.

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3. The learned counsel for the petitioner would submit that there are several inconsistencies in the evidence of the injured witnesses; that in the discharge summary issued to the witness-PW14, which was marked as Ex.D2, it is stated that the victims had sustained accidental burns; that the petitioner is sought to be prosecuted only because he was a member of the Non-Teaching Staff Association and was opposed to the Management; that the petitioner is in custody from 29.01.2026 and hence, prayed for suspension of sentence, pending disposal of the revision.

4. Heard the learned Government Advocate (Crl.Side), who would submit that the petitioner committed a grave offence; that the impugned judgment does not suffer from any infirmity; that the evidence of PW13 and PW14 are cogent and convincing; and that no ground had been made out by the petitioner for granting suspension of sentence.

5. As stated above, the case of the prosecution is that due to prior enmity, the petitioner had poured acid on the head of both PW13 and PW14. The evidence of PW13 and PW14 would suggest that the petitioner had deliberately poured acid on their heads. Both the witnesses had taken treatment and fortunately



survived. The innocuous entries in the discharge summary that they had sustained accidental burns would be of no avail to the petitioner in the light of the cogent evidence of PW13 and PW14. There is nothing to suggest that PW13 and PW14 had a grudge against the petitioner to falsely implicate him. Therefore, this Court finds no reason to suspend the sentence imposed on the petitioner. Hence the petition for suspension of sentence is dismissed.

6. However, considering the fact that a fixed sentence of imprisonment has been imposed on the petitioner, the revision may be listed for final hearing, at an early date subject to the orders of the roster Judge concerned.

**04-03-2026**

Index: Yes/No  
Speaking/Non-speaking order  
Neutral Citation: Yes/No

ars

To

1. The V Additional District and Sessions Judge,  
Coimbatore,
2. The Principal Assistant Sessions Judge,  
Coimbatore,
3. The Inspector of Police,  
Thudiyalur Police Station, Coimbatore District.
4. The Public Prosecutor,  
High Court, Madras.



WEB COPY

CRL MP No. 719 of 2



**SUNDER MOHAN J.**

**ars**

**Pre-delivery order in  
CRL MP No. 719 of 2026  
AND  
CRL RC NO. 123 OF 2026**

**04-03-2026**