



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-04-2026

CORAM

THE HON'BLE MR JUSTICE A.D.JAGADISH CHANDIRA

CRL MP No. 6216 of 2026

in

CRL A No. 416 of 2026

1. Narayanasamy
2. Malliga
3. Ezhumalai
4. Gomathi
5. Pazhani

..Petitioner(s)

Vs

1. The State Represented by
Deputy Superintendent of Police,
Gudiyatham Sub-Division.
2. The State Represented by, Inspector of Police,
Gudiyatham All Women Police Station,
Vellore District.
Crime No.9 of 2023
3. K.Kalaivani

..Respondent(s)

Criminal miscellaneous petition filed under Section 430(1) of BNSS, seeking to suspend the sentence in imposed upon the Petitioners/Appellants by the Hon'ble Sessions Judge for Trial Cases under Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, Vellore in Special Sessions Case No.10 of 2024 vide judgment dated 10.03.2026 till the disposal of connected criminal appeal the Petitioners/Appellants and enlarge the petitioners on bail and thus render justice.



For Petitioner(s):

Mr.Baalaji

For Respondent(s):

Ms.J.R.Archana, GA(Crl. Side) for R1 to R2;
Mr.C.Venkatesan, Legal Aid Counsel for R3.

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ORDER

This criminal miscellaneous petition has been filed by the petitioners seeking suspension of sentence imposed by the learned Sessions Judge for Trial Cases under Scheduled Castes/Scheduled Tribes (Prevention of Atrocities) Act, Vellore, in Spl.S.C.No.10 of 2024, vide judgment dated 10.03.2026.

2. The conviction and sentence imposed against the petitioners, vide impugned judgment are as follows:-

<i>Under Section</i>	<i>Sentence</i>
3(1)(s) of SC/ST Act	To undergo 2 years rigorous imprisonment and pay a fine of Rs.10,000/- each, in default, to undergo 3 months years rigorous imprisonment.

3. Learned counsel for the petitioners submitted that the petitioners are relatives of A1. He contended that the primary allegations are attributed to A1, who is alleged to have impregnated the victim and subsequently refused to marry her. As far as the allegations against the current petitioners are concerned, it is alleged that they prevented A1 from marrying the victim/de facto complainant. Learned counsel further submitted that the petitioners have been



sentenced to undergo two years of rigorous imprisonment and noted that the trial court has already suspended the sentence. He further contended that the petitioners have not misused the liberty granted to them. He also submitted that there are arguable points in the criminal appeal, which is unlikely to be taken up for final hearing in the near future and the petitioners have a fair chance of succeeding in the appeal and hence, the sentence imposed on the petitioners may be suspended.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent and the learned Legal Aid counsel appearing for the de facto complainant vehemently opposed the grant of suspension of sentence. They stated that the charges against the petitioners are serious in nature, as it is they who prevented A1 from marrying the de facto complainant after he had impregnated her. They further submitted that the trial court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioners guilty and convicted and sentenced them as stated above.

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



6. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel on either side, this Court is inclined to grant the reliefs of suspension of sentence and bail to the petitioners, till the disposal of the criminal appeal, on certain conditions.

7. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioners/appellants are ordered to be released on bail on their executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) each, with two sureties each, each for a like sum, to the satisfaction of the learned Sessions Judge for Trial of Cases under Scheduled Caste/Scheduled Tribe (Prevention of Atrocities) Act, Vellore District and on further conditions that:-

(i) The sureties shall affix their photographs and left thumb impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Passbooks to ensure their identities.

(ii) The petitioners/ appellants shall appear before the trial Court on the first working day of every English calendar month at 10.30 a.m., until further orders and if they are not able to appear before the trial court on any day, they shall make arrangements to file an application under Section 355 of BNSS, 2023 and shall appear before the trial Court on any other day in lieu of the date of their absence, as directed by the trial court.



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8. This criminal miscellaneous petition stands ordered accordingly.

28-04-2026

Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

SHA

To

1. The Deputy Superintendent of Police,
Gudiyatham Sub-Division.
2. The Inspector of Police,
Gudiyatham All Women Police Station,
Vellore District.
3. The Sessions Judge for Trial of Cases
under Scheduled Castes/Scheduled Tribes
(Prevention of Atrocities) Act, Vellore.
4. The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

SHA

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