



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-04-2026

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

CRL MP No. 6948 of 2026

in

CRL A No.472 of 2026

C.Ashok Kumar

..Petitioner(s)

Vs

The State Represented by The Inspector of Police
Adhiyamankottai Police Station,
Dharmapuri District.
Crime No. 185/2017.

..Respondent(s)

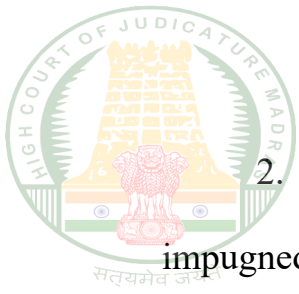
Criminal miscellaneous petition filed under Section 430(1) of BNSS, seeking to suspend the sentence imposed in judgment and conviction passed in S.C.No. 53/2019 dated 23.03.2026 on the file of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri and release the petitioner on bail pending Criminal Appeal.

For Petitioner(s): Mr.B Mohan

For Respondent(s): Ms.J.R.Archana, GA(Crl. Side)

ORDER

This criminal miscellaneous petition has been filed by the petitioner seeking suspension of sentence imposed by the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri, in S.C.No. 53/2019, vide judgment dated 23.03.2026.



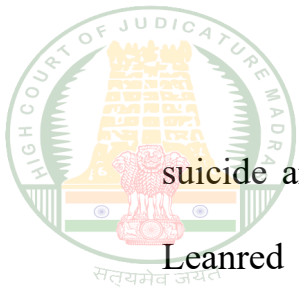
2. The conviction and sentence imposed against the petitioner, vide impugned judgment is as follows:-

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<i>Under Section</i>	<i>Sentence</i>
306 of IPC	To undergo five years rigorous imprisonment and pay a fine of Rs.5,000/-, in default, to undergo six months simple imprisonment.

3. The prosecution's case is that the victim and the accused entered a love marriage in 2015, which was frequently marked by misunderstandings and quarrels. On May 6, 2017, following a dispute, the accused allegedly told his wife to go away and commit suicide. Later that evening, the victim's father, PW1, was informed that his daughter was unconscious; she was taken to Dharmapuri Hospital but was declared brought dead. Based on these facts, a case was registered and a final report was filed against the petitioner under Section 306 of the IPC for abetment of suicide. During the trial, the prosecution examined fifteen witnesses and presented sixteen exhibits, leading the trial court to find the accused guilty.

4. Learned counsel for the petitioner submitted that since this was a love marriage, there was no demand for dowry, and the occasional quarrels were simply due to the petitioner's lack of steady employment. He contended that there is no evidence that the petitioner actually instigated the victim to commit



suicide and argued that the trial court failed to properly weigh the testimony.

Learned counsel further contended that the petitioner is now the primary caregiver for his two children and has never misused his liberty while on bail during the trial. 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 petitioner has a fair chance of succeeding in the appeal and hence, the sentence imposed on the petitioner may be suspended and the petitioner /appellant may be enlarged on bail.

5. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent opposed the grant of suspension of sentence. She submitted that the petitioner was not having a proper job to support the family and he used to frequently harass the victim and his specific command for her to kill herself on the day of the incident justified the conviction. She further contended that the trial court, after properly considering the oral and documentary evidence produced by the prosecution, rightly found the petitioner/appellant guilty and sentenced him, as stated above.

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

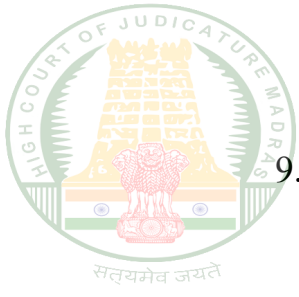


7. Considering the facts and circumstances of the case and also considering the submissions made by the learned counsel for the petitioner that petitioner is now the primary caregiver for his two children and has never misused his liberty while on bail during the trial, this Court is inclined to grant the reliefs of suspension of sentence and bail to the petitioner, till the disposal of the criminal appeal, on certain conditions.

8. Accordingly, the substantive sentence of imprisonment alone is suspended and the petitioner/appellant is ordered to be released on bail on his executing a bond for a sum of Rs.15,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Sessions Judge, Fast Track Mahila Court, Dharmapuri 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 petitioner/appellant 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 he is not able to appear before the trial court on any day, he 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 his absence, as directed by the trial court.



9. This criminal miscellaneous petition stands ordered accordingly.

27-04-2026

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To

1.The Inspector of Police
Adhiyamankottai Police Station,
Dharmapuri District.

2.The Sessions Judge,
Fast Track Mahila Court,
Dharmapuri.

3.The Central Prison,
Salem.

4.The Public Prosecutor,
Madras High Court.



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A.D.JAGADISH CHANDIRA, J.

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