



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-06-2026

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THE HON'BLE MR JUSTICE C. SARAVANAN

CRL MP No. 7472 of 2026

in

Crl.A.No.531 of 2026

1. Tamil Kumaran
S/o.Veerappan,
Residing at Melatheru,
Mithranamangalam,
Nagapattinam District.
2. Chitra
W/o.Tamil Kumaran,
Residing at Melatheru,
Mithranamangalam,
Nagapattinam District.

..Petitioner(s)

Vs

The State rep.by,
The Deputy Superintendent of Police,
Velankanni Sub-Division,
(Cr.No.895 of 2020, Vellankanni P.S)

..Respondent(s)

Prayer: Criminal Miscellaneous is filed under Section 430 of BNSS, to suspend the substantial sentence of imprisonment passed against the Petitioners/Accused A1 and 2 in Spl.SC.No.8 of 2021 by dated 06.04.2026 on the file of the Special



Court for cases under the SC and ST (Prevention of Atrocities) Nagapattinam, and enlarge the bail on the petitioners 1 and 2/Appellants/Accused pending disposal of the above Criminal appeal.

For Petitioner(s): Mr.J.Chandran Sundar sashikumar
for Ms.V.Mythili

For Respondent(s): Mr.M.Mohamed Riyaz,
Govt. Advocate(Crl.Side)

ORDER

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment pursuant to the conviction of the respective petitioners, by the Special Court for cases under the SC & ST (Prevention of Atrocities), Nagapattinam, in Spl.SC.No.8 of 2021 for the offences under Section 324 of IPC r/w 3(2) (va) of the SC & ST Act, 2015, vide Judgment dated 06.04.2026.

2. The brief facts of the case are as follows:-

2.1. The case of the prosecution is that when the Defacto complainant and his wife were standing near the fence, the Petitioner and his wife attacked the Defacto complainant and his wife (P.W.1 and P.W.2) resulting in injuries to them. The further case of the Prosecution is that the petitioners have allegedly used caste slurs attracting the punishment under the provisions of SC & ST (Prevention of Atrocities), Act 1989.



2.2. Based on the complaint given by the Defactcomplainant, the respondent police registered a case in Crime No.895 of 2020 for the offences under Section 324 of IPC r/w 3(2) (va) of the SC & ST Act, 2015, against the Petitioners/Appellants/Accused.

2.3. It is informed that the investigation is complete. After completion of investigation, the investigating officer had filed a charge sheet and the same was taken on file in Spl.S.C.No.8 of 2021 by the file of the Special Court of Scheduled Castes & Schedules Tribes (Prevention of Atrocities) Act.

2.4. After hearing the counsel on both sides, charges were framed against the accused. During initial questioning, the Petitioners have denied the charges and had sought trial.

2.5. On the side of the prosecution, PW1 to PW16 were examined and Ex.P1 to Ex.P11 were marked. On the side of the defence, Ex.D1 and Ex.D2 were marked (during cross of P.W.16 Cross). Neither of the Petitioners were examined nor any material objects were marked during trial.

2.6. The Trial Court, after hearing the arguments on both sides and upon consideration of the entire materials on record, found the petitioners/appellants guilty of the offences charged and convicted and sentenced them vide judgment dated 06.04.2026 as follows:-



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<i>Accused</i>	<i>Under Sections</i>	<i>Sentence</i>
A1	324 IPC	One year rigorous imprisonment and fine of Rs.1,000/-, in default, to undergo three months simple imprisonment.
	3(2)(va) of the SC/ST (POA) Act	One year rigorous imprisonment and fine of Rs.1,000/-, in default, to undergo three months rigorous imprisonment.
A2	323 IPC	Six months rigorous imprisonment and fine of Rs.1,000/-, in default, to undergo three months rigorous imprisonment.
	3(2)(va) of the SC/ST (POA) Act	Six months rigorous imprisonment and fine of Rs.1,000/-, in default, to undergo three months rigorous imprisonment.
The aforesaid sentences were ordered to run concurrently.		

3. The submissions of the learned counsel appearing for the petitioners/appellants are as follows:-

3.1. The alleged offence took place on 24.11.2020. The petitioners/Appellants are husband and wife. The defacto complainant and his wife are the neighbours of the Petitioners/Appellants. It is alleged that the Coconut trees of the Petitioners/Appellants, were slightly bending and leaning towards the defacto complainant's house and therefore the defacto complainant and his wife escalated the issue before the Village Panchayat and the decision



was taken by the Panchayat, to sever the coconut trees causing hindrance to the defacto complainant.

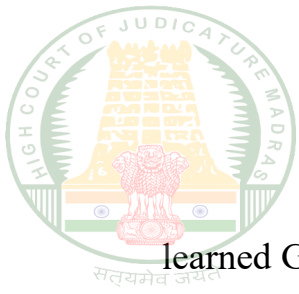
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3.2. The parallel complaint was also filed by the petitioners herein against the defacto complainant and his wife namely Ramani Rajan and Shanthi, in respect of which, the Respondent police had registered the FIR in Cr.No.896 /2020 against them. The said complaint was also taken on file by the District Sessions Court, Nagapattinam in STC.No.1 of 2024, wherein, the defacto complainant also have been punished under Section 323 of IPC for a period of six months simple imprisonment with a fine of Rs.1,000/-

4. The submissions of the learned Government Advocate (Criminal Side) appearing for the respondent are as follows:-

4.1. The trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioners/appellants guilty and convicted and sentenced them, as stated above.

4.2. In the appeal before this Court in Crl.A.No.525 of 2026 against the conviction in STC.No.1 of 2024, this Court has granted suspension of sentence vide order dated 29.04.2026 in Crl.M.P.No.7401 of 2026. However, he opposed for granting suspension of sentence.



5. Heard the learned counsel for the petitioners/appellants and the learned Government Advocate (Criminal Side) appearing for the respondent and perused the materials on record.

6. There are arguable points available in the Criminal Appeal, which is unlikely to be taken up for final hearing in the near future. The Petitioners/Appellants appear to have a fair chance to succeed in the above appeal.

7. The fine amount has been also paid by the petitioners/appellants. The Trial Court has already suspended the sentence imposed on the petitioner/appellant till 06.05.2026 and later extended till 06.06.2026. Hence, I see no impediment in suspending the sentence imposed on the Petitioners/Appellants.

8. Considering the overall facts and circumstances of the case, the sentence of imprisonment imposed on the respective Petitioners/Appellants is suspended, till the disposal of the appeal, subject to the following conditions:-

“(i) Both the petitioners/appellants shall execute separate bonds for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two sureties, each for a like sum to the



satisfaction of the Special Court of SC and ST (Prevention of Atrocities), Nagapattinam;

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(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.”

7. Accordingly, the Criminal Miscellaneous Petition stands ordered.

16-06-2026

Vv

To

1. The Sessions Judge,
Special Court for cases under the SC and ST
(Prevention of Atrocities) Act, Nagapattinam,
2. The Deputy Superintendent of Police, Velankanni Sub Division.
3. The Public Prosecutor, High Court of Madras.



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CRL MP No. 7472 of 2



C.SARAVANAN, J.

VV

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