Order QR

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2026

CORAM

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

Crl.M.P.No.20275 of 2026 in Crl.A.No.1321 of 2026

Jerold Satish

..Petitioner(s)

Vs

State Rep by, The Inspector of Police,
Thirumanur Police Station, Ariyalur District.
Crime No.275 of 2023

..Respondent(s)

Prayer: Petition filed under Section 389(1) of the Cr.P.C./430 BNSS, to suspend the sentence imposed upon the Appellant/Jerold Satish (M/40/2023) in S.C.No.60 of 2024, dated 30.09.2026, on the file of the learned Additional District and Sessions Judge, Ariyalur, and enlarge the Appellant on bail pending disposal of the Criminal Appeal.

For Petitioner(s): Mr.L.Baskaran

For Respondent(s): Ms.Sharada Vivek
Additional Public Prosecutor
assisted by Mr.M.Arun Raj

ORDER

The appeal challenges the judgment passed in S.C.No.60 of 2024 dated 30.09.2026, holding the petitioner guilty of the offences under Section 307 of the Indian Penal Code, 1860[1], sentencing him to undergo seven years rigorous imprisonment and to pay fine of Rs.5,000/-.

2. It is the case of the prosecution that due to prior enimity, the petitioner, along with A2 and A3, had attacked the *defacto* complainant

[1] *For brevity, hereinafter referred as "IPC".*



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on 24.12.2023 at about 3:00 PM with knife and sickle; that the victim *P.W.1* had sustained grievous injuries and thus, the petitioner committed the offence under Sections 294(b), 307 and 506(ii) of IPC. The Trial Court, after considering the evidence on record, acquitted A2 and A3 and convicted the petitioner alone for the offence as stated above.

3. *Mr.L.Baskaran*, the learned counsel appearing for the petitioner would submit that the Doctor (*P.W.9*), who had made entries in the Accident Register (*Exhibit P.4*) and issued the Wound Certificate (*Exhibit P.3*), has clearly opined that the injuries sustained by the victim was simple in nature and this would suggest that the offence under Section 307 of IPC is not made out. He would further submit that the petitioner has been falsely implicated and there was prior enimity between the petitioner and the victim; that there are several arguable points in the above appeal, which require consideration.

4. Heard *Ms.Sharada Vivek*, learned Additional Public Prosecutor for the respondent and perused the counter affidavit filed by the respondent.

5. It is seen from the evidence of *P.W.9*, who made entries in the Accident Register (*Exhibit P.4*) and issued the Wound Certificate (*Exhibit P.3*), that he found the injuries sustained by *P.W.1* are simple in nature. The Trial Court had also acquitted the other accused. Therefore, it is to be examined in the above appeal whether the victim's evidence could be



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believed to sustain the conviction against the petitioner. In any case, the records *prima facie* suggest that the prosecution had not established the offence under Section 307 of IPC.

6. Considering the above facts, and since a fixed sentence of imprisonment has been imposed on the petitioner and the appeal is not likely to be taken up in the near future, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

7. Accordingly, this criminal miscellaneous petition stands allowed, and the sentence imposed on the petitioner is suspended till the disposal of the above criminal appeal, and the petitioner is ordered to be released on bail on the following conditions:

(a) The petitioner shall execute a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions Judge, Ariyalur;

(b) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and



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(c) The petitioner shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the appeal 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 317 Cr.P.C. 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.

28-10-2026

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*Note: Issue order copy on 28.10.2026.*



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To:

1. The Inspector of Police,
   Thirumanur Police Station, Ariyalur District.
   Crime No.275 of 2023

2. The Additional District and Sessions Judge, Ariyalur.

3. The Superintendent of Prison,
   Central Prison, Trichy.

4. The Public Prosecutor,
   Madras High Court, Chennai.


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**SUNDER MOHAN, J.**

(*drm*)

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28-10-2026

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