



CRL MP(MD). No.1102 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 23/03/2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN

CRL MP(MD). No.1102 of 2026

in

CRL A(MD). No.78 of 2026

Jegadeeswaran @ Babu

... Petitioner

Vs

State of Tamilnadu Rep by
Inspector of Police, Kurangani Police Station,
Kurangani,
Theni District.
Crime No.15 of 2022.

... Respondent

PRAYER :-

To suspend the sentence imposed on the petitioner /Appellant /Sole Accused namely Jegadeeswaran @ Babu passed by the Honble Principal Sessions Court, Theni in SC No.83/2022 dated 24.03.2025 and enlarge the petitioner on bail pending disposal of the Criminal Appeal.

For Petitioner : Mr.S.Vijayakumar,
Advocate.

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

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(Order of the Court was made by the Hon'ble N.Anand Venkatesh J.)

This petition has been filed seeking for suspension of sentence imposed in the judgment made in SC No.83/2022 by the Principal Sessions Court, Theni and to enlarge the petitioner on bail.

2. The case of the prosecution is that the deceased and the appellant were employed by one Dr.Ram Kumar who is owning a Coconut Grove. On 31.03.2022, the accused person is said to have returned back to the coconut grove after consuming liquor and the deceased is said to have questioned the accused person in this regard. There was some wordy quarrel and it is alleged that the accused person attacked the deceased with a bill hook (M.O.2). The deceased succumbed to the injuries. As a result, a First Information Report came to be registered in Crime No.15 of 2022 for offence under Sections 302 and 201 read with 302 of IPC.



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3. The trial Court, on considering the facts and circumstances of the case and an appreciation of oral and documentary evidence, came to the conclusion that the prosecution has proved the case beyond reasonable doubts and accordingly convicted and sentenced the appellant in the following manner :

Section of Law	Sentence of imprisonment	Fine amount
302 of IPC	Life imprisonment	Rs.3000/- i/d to undergo one month rigorous imprisonment
201 r/w 302 of IPC	Three years rigorous Imprisonment	Rs.2000/- i/d to undergo further one month rigorous imprisonment

The above sentences were directed to run concurrently.

4. Heard Mr.S.Vijayakumar, learned counsel for the petitioner and Mr.E.Antony Sahaya Prabahar, learned Additional Public Prosecutor for the respondent.



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5. The learned counsel for the appellant submitted that the entire case hinges upon the CCTV footage, that was heavily relied upon by the trial Court. The learned counsel submitted that the manner in which the prosecution has projected the case and the manner in which the trial court has appreciated the evidence, shows that there was a scuffle between the accused and the deceased before the incident and therefore, the present case will fall under one of the exception under Section 300 of IPC. The learned counsel further submitted the appellant is suffering incarceration from 24.03.2025 onwards.

6. Per contra, learned Additional Public Prosecutor submitted that the trial Court has carefully considered the CCTV footages and has clearly identified the accused and the deceased and there was no explanation forthcoming from the appellant regarding the incident. Therefore, it was contended that there is no ground for the appellant to come up with a plea that this incident had taken place after a scuffle. The learned Additional Public Prosecutor, on instruction, submitted that there are no previous cases against the appellant.



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7. The entire case of the prosecution hinges upon the CCTV footage which has been taken into consideration by the trial Court. On carefully going through the judgement passed by the trial Court, it is seen that the CCTV footage itself reveals the fact that there was, certainly a scuffle between the deceased and the accused before the incident. Therefore, it has to be seen as to whether the case in hand falls under any of the exceptions to Section 300 of IPC.

8. This Court considered the submissions made on either side and the materials available on record.

9. The appellant has undergone incarceration from 24.03.2025 and there are no previous antecedents against the appellant. This Court must also have the advantage of going through the CCTV footages and it will take some more time for this Court to take up the main appeal for hearing. This Court also takes into consideration the fact that there are three female children for the appellant who will have to be taken care.



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10. Hence, we are inclined to suspend the sentence imposed on the petitioner and accordingly, the Criminal Miscellaneous Petition is allowed, subject to the following conditions:

i. The petitioner is directed to be enlarged on bail on executing a bond for Rs.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Principal Sessions Judge, Theni.

ii. 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 passbook to ensure their identity.

iii. The petitioner shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calender month, until further orders.

(N.ANAND VENKATESH J.) (K.K.RAMAKRISHNAN J.)
23-03-2026

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To

- 1.The Principal Sessions Judge, Theni.
2. The Superintendent, Central Prison, Madurai.
- 3.The Inspector of Police, Kurangani Police Station,
Kurangani, Theni District. Crime No.15 of 2022.
- 4.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.



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AND
K.K.RAMAKRISHNAN, J.

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ORDER
IN
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in
CRL A(MD). No.78 of 2026

Date : 23/03/2026