



CRL MP(MD) NO. 1163 of 2026

WEB COPY BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18-03-2026

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THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR. JUSTICE P.DHANABAL

CRL MP(MD) NO. 1163 of 2026 in CRL A(MD).NO.90 of 2026

1. Ananthakrishnan

2. Nagarajan

Petitioner(s)

Vs

State of Tamilnadu,
Rep By
the Inspector of Police,
Thirukattupalli Police Station
Thanjavur District.
Crime No.557 of 2021.

Respondent(s)

For Petitioner(s):

Mr.T.Gowthaman, Senior Counsel
for Ms.S.Karpagapriya

For Respondent(s):

Mr.E.Antony Sahaya Prabahar, Addl. Public Prosecutor



342 of IPC	Six months rigorous imprisonment	Rs.500/- i/d to undergo one month simple imprisonment
302 r/w 34 of IPC	Life Imprisonment	Rs.1000/- i/d to undergo one month simple imprisonment

The above sentences were directed to be run concurrently

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

5. The case of the prosecution is that there was a previous enmity between the deceased Selvam and one Kasiraja, who was a juvenile, since the said Kasiraja's sister fell in love and eloped and married a person against the wishes of the family members. On the fateful day, on 05.10.2001 at about 05.00 p.m., the petitioners herein along with the said Kasiraja are said to have gone to the house of the deceased and abused Kasiraja in filthy language. The petitioners herein held the accused and the said Kasiraja is said to have attacked the deceased with sickle which resulted in the death of the said Selvam. There were totally four accused persons in this case. Since the said Kasiraja was a juvenile, he was tried separately before the



Juvenile Justice Board. Out of the three remaining accused persons, Accused No.3 died and hence, the charges abated and Accused Nos.1 and 2 alone underwent trial before the Court below.

6. The learned Senior Counsel appearing on behalf of the petitioners / appellants submitted that there are lots of discrepancies in the eye-witness account and that creates a doubt in the manner in which the incident had taken place. He further submitted that there was also injury suffered by Accused No.1 and that has not been explained by the prosecution and hence, the very genesis of the case of the prosecution becomes questionable.

7. The learned Additional Public Prosecutor appearing for the respondent submitted that the trial Court had taken into account the eye-witness account of P.W.2 to P.W.4 and P.W.10 and come to a conclusion that the prosecution has proved the case beyond reasonable doubts. The learned Additional Public Prosecutor, on instructions, submitted that the case against the juvenile has already been disposed of. On instructions, it was further submitted that there were no previous cases pending against the petitioners.



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8. This Court, on carefully considering the submissions made on either side, finds that a prima facie case has been made out since the manner in which the incident had taken place has to be gone into and it has to be seen whether the case in hand will fall within any of the exception to Section 300 of IPC. The petitioners have suffered incarceration from 24.11.2025 and it will take some more time to take up the appeal for final hearing. Hence, this Court is inclined to suspend the sentence imposed on the petitioners and accordingly, this Criminal Miscellaneous Petition is allowed, subject to the following conditions:

i. The petitioners are directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Thiruvaiyaru.

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 petitioners shall stay at Madurai and report



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before the Inspector of Police, Thallakulam Police Station,

every day at 05.30 p.m. until further orders.

(N.ANAND VENKATESH J.) (P.DHANABAL J.)
18-03-2026

TSG

To

1.The I Additional District and Sessions Judge (PCR),
Thanjavur.

2.The Judicial Magistrate, Thiruvaiyaru.

3.The Inspector Of Police,
Thirukattupalli Police Station,
Thanjavur District.

4.The Inspector of Police, Thallakulam Police Station, Madurai.

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