



*Crl.MP(MD)No.1957 of 2026 in  
Crl.A(MD)No.128 of 2026*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :04.03.2026

CORAM:

**THE HONOURABLE MR.JUSTICE B.PUGALENDHI**

Crl.M.P.(MD)No.1957 of 2026  
in Crl.A.(MD)No.128 of 2026

1. Murugan @ Murugesan

2. Mani @ Manikandan

... Petitioners

Vs.

1. The State of Tamilnadu,  
Rep by its  
Deputy Superintendent of Police,  
Alangudi Sub Division,  
Vadakadu Police Station,  
Pudukkottai District.  
Crime No.59 of 2019

2. Thirumurugan

... Respondents

**Prayer:** Petition filed under Section 430(1) of BNSS to suspend the Sentence imposed on Petitioners/Appellants/Accused No.1 and 2 passed by the learned Special Court for Exclusive Trial of SC and ST (POA) Act Cases, Pudukkottai in Spl.S.C.No.163 of 2019 dated 11.12.2025 and enlarge the petitioners on bail, pending disposal of the appeal.



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For petitioners : M.Jegadeesh Pandian

For Respondent : Mr.S.Prakash  
Government Advocate

### **ORDER**

The petitioners, accused in Spl.S.C.No.163 of 2019, on the file of the learned Special Judge for Exclusive Trial of SC and ST (POA) Act Cases, Pudukkottai were found guilty by the trial Court and were convicted and sentenced as under:-

| Sl.No | Accused | Sections                                  | Punishment                     | Fine amount | Default                     |
|-------|---------|-------------------------------------------|--------------------------------|-------------|-----------------------------|
| 1     | A1      | 3(1)(r) of SC / ST (POA) Act              | 6 months Rigorous imprisonment | Rs. 5,000/- | 1 month simple imprisonment |
| 2     | A1 & A2 | 323 IPC r/w 3(2)(Va) of SC / ST (POA) Act | 3 months simple imprisonment   | Rs.500/-    | 15 days simple imprisonment |
| 3     | A1      | 3(1)(s) of SC / ST (POA) Act              | 6 months Rigorous imprisonment | Rs. 5,000/- | 1 month simple imprisonment |

As against the conviction and sentence imposed by the trial Court in Spl.S.C.No.163 of 2019, dated 11.12.2025, the petitioners have filed a Criminal Appeal in CrI.A(MD)No.128 of 2026 and the same was admitted



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by this Court on 30.01.2026. The petitioners have also moved this application to suspend the sentence imposed on them by the trial Court.

2. The case of the prosecution is that on 27.05.2019, at about 19.00 hours, the petitioners attacked the defacto complaint and abused him in filthy language by stating his caste name. Hence the case.

3. The learned counsel appearing for the petitioners submits that though the occurrence had taken place on 27.05.2019, the complaint was lodged only after three days. He also points out that PW6, who was projected as an eye witness and independent witness turned hostile.

4. The learned Government Advocate appearing for the first respondent also submits that the complaint was lodged with a delay of three days.

5. This Court considered the rival submissions made and also perused the materials placed on record.



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6. The petitioners has raised certain arguable points, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. Considering the points raised by the petitioners and for the reasons that the appeal could not be taken up immediately, this Court is inclined to suspend the sentence imposed on the petitioners.

7. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioners are ordered to be enlarged on bail on the following conditions:-

- i. The petitioners shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) each with two sureties each for a like sum to the satisfaction of the learned Special Judge for Exclusive Trial of SC and ST (POA) Act Cases, Pudukkottai.
- ii. The petitioners shall report before the learned Special Judge for Exclusive Trial of SC and ST (POA) Act Cases, Pudukkottai, daily at 10.30 a.m., till the disposal of the appeal.
- iii. The petitioners shall file an affidavit of undertaking before the learned Judge that they will not involve in any offence in future.



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iv. In the event, if the petitioners have violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to them.

**04.03.2026**

*mbi*

To

1.The Special Judge for Exclusive Trial  
of SC and ST (POA) Act Cases,  
Pudukkottai.

2.The Deputy Superintendent of Police,  
Alangudi Sub Division,  
Vadakadu Police Station,  
Pudukkottai District.

3.The Additional Public Prosecutor,  
Madurai Bench of Madras High Court,  
Madurai.



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**B.PUGALENDHI, J.,**

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