



CRL MP(MD). No.1254 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 26/03/2026

CORAM

**THE HONOURABLE MR. JUSTICE N.ANAND VENKATESH
AND
THE HONOURABLE MR. JUSTICE K.K.RAMAKRISHNAN**

**CRL MP(MD). No.1254 of 2026
in
Crl.A(MD).No.93 of 2026**

Muniyappan

... Petitioner

Vs

The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
In Crime No.47/2014.

... Respondent

PRAYER :- To suspend the sentence of imprisonment imposed on the petitioner by the learned Additional District Judge (Fast Track Court), Palani, in S.C.No.48 of 2019, dated 25.11.2025 and enlarge the petitioner on bail pending disposal of the above Criminal Appeal on the file of this Court.

For Petitioner : S.Karthikeyan

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 N.ANAND VENKATESH, J.]

This petition has been filed by A1 seeking suspension of substantive sentence of imprisonment imposed in S.C. No. 48 of 2019, dated 25.11.2025 on the file of the Additional District Judge (Fast Track Court), Palani, Dindigul District. He has been convicted under Section 302 IPC and sentenced to undergo imprisonment for life and to pay a fine of Rs.10,000/- in default to undergo rigorous imprisonment for six months.

2. Heard the learned counsel appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the respondent.

3. The case of the prosecution is that on 18.02.2014 at about 1.30 p.m., the accused persons are said to have threatened the deceased with dire consequences and had stabbed him with MO1 and MO2. The deceased succumbed to the injuries and based on the complaint given by PW1, who is the wife of the deceased, FIR came to be registered (Ex.P12) by PW15. There are totally two accused persons in this case



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and the petitioner was arrayed as A1.

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4. The trial Court, on considering the facts and circumstances of the case and mainly relying upon the evidence of PW1, who is the wife of the deceased and PW14, who is the postmortem Doctor, came to a conclusion that the prosecution has proved the case beyond reasonable doubts and proceeded to convict the petitioner as stated supra.

5. The learned counsel appearing on behalf of the petitioner submitted that even though the prosecution had examined 17 eyewitnesses, except PW1, no other witness supported the case of the prosecution. The learned counsel further submitted that PW1 could not have been present at the scene of crime and to substantiate the same, the learned counsel read the deposition of PW1. He submitted that PW1 admittedly was working under a Mason and she had gone for work on the date of occurrence and she could not have come to the scene of crime before 2 pm., even as per her own statement made during cross-examination. Whereas, she claims to have been present in the scene of crime at 12 noon. The learned counsel submitted that the trial Court had



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convicted and sentenced the petitioner only based on the evidence of PW1, which, according to the trial Court, was corroborated by the evidence of PW14.

6. The learned Additional Public Prosecutor submitted that the trial Court has properly appreciated the evidence and has convicted and sentenced the petitioner. The learned Additional Public Prosecutor, on further instructions, submitted that there are no previous cases against the petitioner.

7. This Court considered the same grounds raised while granting suspension of sentence to A2 in Crl.M.P(MD) No.20745 of 2025 in Crl.A(MD) No.1390 of 2025, by an order dated 09.03.2026.

8. Taking into consideration the grounds raised in the appeal and also considering the fact that the petitioner is undergoing incarceration from November 2025 and co-accused was released on bail by this Court vide order, dated 09.03.2026 and that important grounds are made out, which have to be considered on merits and it will take some more time for this Court to hear the criminal appeal finally, this Court is inclined to



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suspend the substantive sentence of imprisonment alone pending appeal.

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9. In view of the above, the substantive sentence imposed by the Court below in S.C.No.48 of 2019, dated 25.11.2025 is suspended and the petitioner is enlarged on bail subject to the following conditions:

(i) The petitioner shall execute a bond for a sum of Rs.25,000/-, with two sureties, of whom, one should be a blood relative, each for a like sum to the satisfaction of the Additional District Court, (FTC), Palani, Dindigul District;

(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 pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned Additional District Judge, FTC, Palani, every day at 10.30 a.m., until further orders 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



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before the trial Court on any other day in lieu of the date of his
absence, as directed by the trial Court.

[N.A.V., J.] & [K.K.R.K., J.]

26.03.2026

NCC : Yes / No

Index : Yes / No

Indu

To.

1. The Additional District Court, (FTC),
Palani, Dindigul District;
2. The Inspector of Police,
Ottanchathiram Police Station,
Dindigul District.
3. The Central Prison,
Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

N.ANAND VENKATESH, J.
AND



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K.K,RAMAKRISHNAN, J.

Indu

**ORDER
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Date : 26/03/2026