



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

Dated : 30/03/2026

CORAM

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

CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

in

Crl.A(MD).No.25 of 2026

Sivansait	... petitioner in Crl.M.P(MD) No.5867 of 2026
Veldurai	... petitioner in Crl.M.P(MD) No.5868 of 2026
Vinayagam	... petitioner in Crl.M.P(MD) No.5869 of 2026
Ulaganathan	... petitioner in Crl.M.P(MD) No.5870 of 2026

Vs

The Inspector of Police,
Papakudi Police Station,
Tenkasi District.
In Crime No.151/2015.

... Respondent in all cases



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

COMMON PRAYER :- To suspend the execution of sentence by granting bail in S.C.No.674/2016, dated 03.12.2025 on the file of the learned Additional District and Sessions Judge, Tenkasi District, pending disposal of the above Criminal Appeal.

For petitioners : Mr.S.C.Kathirvel
(in all cases) Senior counsel
for M/s.M.Anantha Devi

For Respondent : Mr.E.Antony Sahaya Prabahar
(in all cases) Additional Public Prosecutor

COMMON ORDER

[Order of the Court was made by N.ANAND VENKATESH, J.]

These petitions have been filed seeking suspension of the sentence of imprisonment imposed on the petitioners (A1, A2, A8, and A11) by the learned Additional District and Sessions Judge, Tenkasi District, in S.C.No.674 of 2016, by judgment dated 03.12.2025, to enlarge the petitioners on bail.

2. The case of the prosecution is that there were two groups of persons, who were claiming the right to worship Seevalaperi Sudalai Madasamy. One group was headed by A1 and the other group was



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

headed by the deceased. Every year, there used to be a dispute and later there would be an amicable settlement in the peace committee and both the groups would conduct the festival together. With this previous motive, on 02.09.2015, at about 8:30 p.m., A1 to A17 are said to have formed themselves into an unlawful assembly with the common object of causing the death of the deceased and his associates. Accordingly, the deceased, PW1, and PW2 were restrained and they were assaulted with iron rods, aruvals, and wooden logs. PW1 and PW2 sustained injuries, and the deceased died in the incident. An FIR came to be registered in Crime No.151 of 2015 as against 17 named accused persons.

3. The Trial Court, on considering the facts and circumstances of the case and upon appreciation of oral and documentary evidence, came to the conclusion that the prosecution had proved the case beyond reasonable doubt as against 14 accused persons. Accordingly, 14 accused persons were convicted and sentenced. The petitioners were arrayed as A1, A2, A8, and A11 and they were convicted and sentenced in the following manner:



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

<i>Provision under which convicted</i>	<i>Sentence</i>
Sec. 302 of IPC	Life imprisonment and fine of Rs.10,000/-, in default to undergo one year imprisonment.
Sec. 307 r/w. 149 of IPC	Life imprisonment and fine of Rs.10,000/-, in default to undergo one year imprisonment.
Sec. 324 r/w. 149 of IPC (2 counts)	Six months Simple Imprisonment and fine of Rs.5,000/-, in default to undergo one year imprisonment.
Section 3 of TNPPDL Act	Three years Simple Imprisonment and fine of Rs.10,000/-, in default to undergo one year Simple Imprisonment.
Section 148 IPC	One year Simple Imprisonment and fine of Rs.1,000/-, in default to undergo one month Simple Imprisonment

The above sentences were directed to run concurrently.

4. Heard the learned counsel appearing for the petitioners and the learned Additional Public Prosecutor appearing for the respondent.

5. The main ground urged by the learned Senior Counsel appearing on behalf of the petitioners is that, even though PW1 and PW2 have been examined as injured witnesses and strong reliance has been placed on



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

their evidence, the earliest version immediately after the incident was spoken to by PW25, the Doctor, through whom the wound certificate, Ex.P.19, was marked.

6. The learned Senior Counsel submitted that the consistent version was that A1 to A5 had attacked with wooden sticks and the nature of injuries sustained by the deceased was also recorded by PW25, the Doctor. The learned Senior Counsel further submitted that the incident had taken place on 02.09.2015 at 8:30 p.m., whereas the complaint came to be given only on 03.09.2015 at 1:30 a.m., and the FIR reached the Court only at 10:30 a.m., and therefore, there was a significant delay in the FIR reaching the Court. The learned Senior Counsel submitted that, insofar as the remaining 10 accused persons are concerned, they have been granted suspension of sentence by this Court.

7. Per contra, the learned Additional Public Prosecutor submitted that, insofar as the petitioners are concerned, a specific overt act has been attributed against them and particularly A1 had attacked the deceased with an iron rod and the other three accused persons had attacked with



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

wooden sticks. PW25 has stated that there was a fracture in the skull of the deceased. The learned Additional Public Prosecutor, on instructions, submitted that there are no previous cases against the petitioners.

8. On carefully considering the submissions made on either side, this Court finds that the grounds raised on the side of the petitioners require detailed analysis. For the present, a *prima facie* case has been made out. This Court also finds that the remaining 10 accused persons have been granted suspension of sentence, that there are no previous cases against the petitioners, that the petitioners have been in incarceration from 03.12.2025 and that it will take some more time for this Court to hear the appeal on merits. Hence, this Court is inclined to grant suspension of sentence by suspending the sentence imposed on the petitioners. Accordingly, this 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, Cheranmahadevi.



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

ii. The sureties shall affix their photographs and Left

WEB COPY

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 appear and sign before the trial Court at 10.30 a.m. on the first and fifteenth day of every English calender month, till the disposal of the Criminal Appeal.

[N.A.V., J.] & [K.K.R.K., J.]
30.03.2026

NCC : Yes / No

Index : Yes / No

Indu

To

1.The Judicial Magistrate, Cheranmahadevi.

2.The Inspector of Police,
Papakudi Police Station,
Tenkasi District.

3.The Central Prison,
Palayamkottai.

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

7/8



WEB COPY



CRL MP(MD). Nos.5867, 5868, 5869 and 5870 of 2026

N.ANAND VENKATESH, J.
AND
K.K.RAMAKRISHNAN, J.

Indu

ORDER
IN
CRL MP(MD) Nos.5867, 5868, 5869 and 5870 of 2026

Date : 30/03/2026