



Crl.MP(MD) No.6189 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :23.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.6189 of 2026

in

Crl.A(MD) No.353 of 2026

Sathish Kumar

... Petitioner

Vs.

The State of Tamil Nadu,
The Inspector of Police,
Thogaimalai Police Station,
Karur District.
[Crime No.78 of 2021]

... Respondent

Prayer: Petition filed under Section 430(2) of BNSS, to suspend the sentence passed in SC.No.22 of 2023 dated 24.11.2023 on the file of the Additional Sessions Judge, Fast Track Mahila Court, Karur pending disposal of the above said criminal appeal.

For Petitioner : Mrs.C.R.Ponnuthai

For Respondent : Mr.A.S.Abul Kalaam Azad,
Government Advocate



Crl.MP(MD) No.6189 of 2026

ORDER

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The petitioner is accused in SC.No.22 of 2023 on the file of the Fast Track Mahila Court, Karur. He has been tried for the offence under Sections 294(b), 341 and 307 IPC and by judgment dated 24.11.2023, he was found guilty, convicted and sentenced as follows:

Sl.No	Section	Punishment	Fine (in Rs)	default class
1	341 IPC	one month simple imprisonment	-	-
2	307 IPC	7 years imprisonment	1000	Six months simple imprisonment

As against the conviction and sentence imposed by the trial Court, the petitioner has filed an appeal in Crl A(MD)No.353 of 2026 along with this petition to suspend the sentence imposed on him by the trial court. The appeal has been admitted by this Court on 23.03.2026.

2.The case of the prosecution is that the petitioner has abused and assaulted the victim, due to family quarrel and the petitioner has obtained divorce from his wife.



Crl.MP(MD) No.6189 of 2026

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3.The learned counsel appearing for the petitioner submits that the victim was leading immoral life and she has sustained injuries in some other incident, but it has been projected as if the injuries have been caused by the petitioner. The learned counsel further submits that there are some contradictions between the eye witness PW1 and PW2.

4.The learned counsel further submits that the petitioner is in jail for the past two years and three months. He is having a daughter aged about 17 years and she is appearing in the 12th standard examinations and he has to take care of his daughter.

5.The learned Government Advocate appearing for the respondent police submits that the victim has sustained not less than eight injuries and some of them are grievous in nature.

6.This Court has also verified with the learned Government Advocate about the details of the petitioner's daughter and he reported that the petitioner's daughter is living with the mother of petitioner.



Crl.MP(MD) No.6189 of 2026

7.This Court considered the rival submissions made and perused the material placed on record.

8.Considering the period of incarceration and the appeal could not be taken up immediately for want of hearing and that the petitioner's daughter is appearing in 12th examinations, this court is inclined to suspend the sentence. Accordingly this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal on the following conditions:

(i)The petitioner is ordered 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 Additional Sessions Judge, Fast Track Mahila Court, Karur

(ii)The petitioner shall file an affidavit before the respondent police that he will not misuse this liberty and will not indulge in any further offence.

(iii)The petitioner shall report before the trial court on the first working day of every month.



Crl.MP(MD) No.6189 of 2026

(iv) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

23.03.2026

DSK

To

- 1.The Inspector of Police,
Thogaimalai Police Station,
Karur District.
- 2.The Additional Sessions Judge,
Fast Track Mahila Court, Karur.
- 3.The Superintendent,
Central Prison,
Tiruchirappalli.

Copy to

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



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Crl.MP(MD) No.6189 of 2026

B.PUGALENDHI, J.,

DSK

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