

CRL MP(MD). No.5111 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 20.04.2026

CORAM

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

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

CRL MP(MD). No.5111 of 2026

in

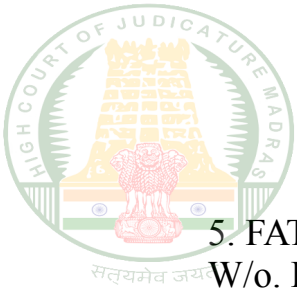
Crl.A(MD).No.299 of 2026

. Abdul Salam
S/o. Aminsha
Nadar Street
Shekottai
Tirunelveli District. (Now confined at Palayamkottai
Central Prison)

2. ABDUL JABBAR
S/o. Naggor Meeran
Sampavar Street
Shekottai
Tirunelveli District. (Now confined at Palayamkottai
Central Prison)

3. KADHAR MEERASHA
S/o. Sheik Mathar
Nadar Street
Shekottai Tirunelveli District. (Now confined at Palayamkottai
Central Prison)

4. AMINA
W/o. Ameensha
Nadar Street Shekottai
Tirunelveli District. (Now confined at Madurai
Central Prison)



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5. FATHIMA BEEVI
W/o. Kathar Meerasha

Nadar Street
Shekottai

Tirunelveli District. (Now confined at Madurai
Central Prison)

Petitioner(s)

Vs

1. State Of Tamilnadu Rep By Inspector Of Police, Shenkottai
Tirunelveli District.
Crime No.66 of 2020

Respondent(s)

For Petitioner(s): Mr.SMA Jinnah

For Respondent(s): Mr.A.Thiruvadikumar
Addl. Public Prosecutor

Prayer: To Suspend the Sentence imposed by the Learned Sessions
Judge, Mahila Court, Madurai district in S.C.No.201 of 2024 dated
27.01.2026 and enlarge the appellants on bail.

ORDER

(Order of the Court was made by N.Anand Venkatesh J.)

This petition has been filed by the accused persons seeking
suspension of substantive sentence of imprisonment imposed on them in
S.C. No. 201 of 2024 dated 27.01.2026 on the file of the Sessions Judge,
Mahila Court, Madurai District.



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2. The case of the prosecution is that the deceased was residing alone at Viswanathapuram, Sencottah after the demise of her husband. A1 was her grandson and he used to frequently demand money from her. On 10.02.2020, at about 12.30 a.m., A1 came along with a juvenile to the house of the deceased and demanded money. When she refused, he picked up a quarrel and assaulted her. The deceased informed about the same to PW1, who in turn questioned A1 for giving trouble to the elderly woman at midnight. Enraged by this, the accused persons namely A1, who is the grandson, A2 the maternal uncle, A3 husband of A5, A4 cousin sister of A1 came to the house of the deceased at about 1.50 a.m. and broke open the door and have also damaged the house articles. They abused the deceased and other occupants in filthy language and A1 assaulted with an iron rod in her right elbow and she was also repeatedly beaten with hands and legs all over the body. The deceased who was a lady aged about 78 years succumbed to the injuries.

3. Based on the complaint given by PW1, an FIR came to be registered in Crime No.66/2020 for offence under Sections 147, 148, 294(b), 427, 449, 307, 302, 506(II) r/w 149 and 109 IPC.



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4. The trial Court, on considering the facts and circumstances of the case and on appreciation of evidence, came to the conclusion that the prosecution has proved the case beyond reasonable doubts and accordingly convicted and sentenced the accused persons in the following manner:

<i>Sl.No</i>	<i>Penal provisions IPC</i>	<i>Rank of the accused</i>	<i>Sentence to undergo</i>
1	148	A1	Fine of Rs.1,000/- in default to undergo three months simple imprisonment
2	147	A2 to A5	To pay a fine of Rs.500/- each in default to undergo three months simple imprisonment
3	451	A1 to A5	One year rigorous imprisonment with a fine of Rs.1,000/- each in default to undergo three months simple imprisonment each
4	302	A1 to A5	Life imprisonment and to pay a fine of Rs.2,000/- each in default to undergo six months simple imprisonment each

The sentences were ordered to run concurrently. Aggrieved by the same, the present appeal has been filed before this Court.



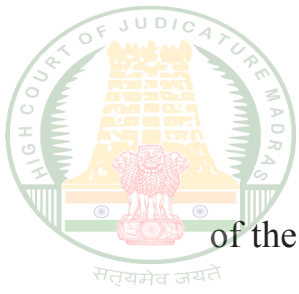
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5. Heard the learned counsel for the petitioners and the learned Additional Public Prosecutor for the respondent.

6. The main ground that was urged by the learned counsel for the appellants is that there was a property dispute between the parties and there was no intention or knowledge to cause the death of the deceased and in fact the deceased died due to hypovolemic shock due to her advanced age. To substantiate the same, the learned counsel relied upon the deposition of PW12, who was the Doctor who performed the autopsy.

7. The learned Additional Public Prosecutor, on instructions submitted that except A2, the other accused persons do not have any previous antecedents. Even insofar as A2 is concerned, FIR was registered under the Gaming Act.

8. Taking into consideration the facts and circumstances of the case and the manner in which the entire incident had taken place and also considering the fact that the accused persons have undergone sentence from January 2026 and also considering the fact that there are no previous bad antecedents against these accused persons and taking note



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of the fact that the appeal could not be heard in the near future, this court is inclined to suspend the substantive sentence of imprisonment alone pending appeal.

9. Accordingly, these Criminal Miscellaneous Petition is allowed, subject to the following conditions:

(i) The petitioners shall execute a bond for a sum of Rs. 25,000/-, with two sureties, of whom, one should be a blood relative, for a like sum to the satisfaction of the Judicial Magistrate, Shencottah;

(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 petitioners shall appear before the Trial Court on the first working day of every month at 10.30 a.m. pending disposal of the criminal appeal.

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

20.04.2026



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- To
1. The Sessions Judge, Mahila Court, Madurai
 2. The Inspector of Police,
Shenkottai Police Station,
Tirunelveli District.
 3. The Superintendent of Prisons, Central Prison, Palayamkottai.
 4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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and
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RR

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