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CRL MP(MD) Nos.5352 and 8751 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24-06-2026

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THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K.RAMAKRISHNAN

CRL MP(MD) Nos.5352 and 8751 of 2026

in Crl.A(MD) Nos.313 and 479 of 2026

CRL MP(MD) No.5352 of 2026

Ramachandran

Petitioner

Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Koomapatti Police Station
Virudhunagar District.
Crime No.95 of 2021.

Respondent

For Petitioner(s):

Mr.K.Rajeshwaran

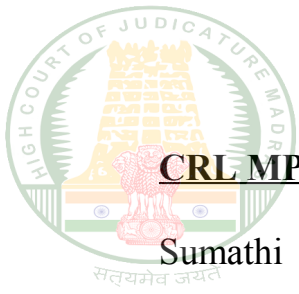
For Respondent(s):

Mr.D.Venkatesh

Counsel for State of TN (Crl.Side)

Prayer:

To suspend the sentence imposed upon the petitioner in Sessions Case No.101/2022 on the file of the learned Principal District and Sessions Judge, Virudhunagar District, dated 28.10.2025 pending disposal of the main criminal appeal.



CRL MP(MD) No.8751 of 2026

Sumathi

Petitioner

WEB COPY

Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Koomapatti Police Station
Virudhunagar District.
Crime No.95 of 2021.

Respondent

For Petitioner(s):

Mr.S.Poornachandran

For Respondent(s):

Mr.D.Venkatesh

Counsel for State of TN (Crl.Side)

Prayer:

To suspend the sentence imposed upon the petitioner in Sessions Case No.101/2022 on the file of the learned Principal District and Sessions Judge, Virudhunagar District, dated 28.10.2025 pending disposal of the main criminal appeal.

COMMON ORDER

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

These petitions have been filed seeking to suspend the sentence imposed on the petitioners by the learned Principal District and Sessions Judge, Virudhunagar District, passed in S.C.No.101/2022 dated 28.10.2025 and to enlarge the petitioners on bail

2. The case of the prosecution is that the deceased was married to A3 and A3 is said to have developed an illegal intimacy with A1. When the deceased came to know about the said relationship, he questioned A1 and A3, as a result of which, he



developed a grudge against the deceased. A criminal conspiracy is said to have been entered into between A1 to A3 to eliminate the deceased. On 18.07.2021 at about 10.30 p.m., in furtherance of the criminal conspiracy, A1 and A2 are said to have trespassed into the house of the deceased and attacked him with arruval and knife and caused multiple grievous injuries. The injured was rushed to the Madurai Rajaji Government Hospital. But however, he succumbed to the injuries on 25.07.2021 at about 10.30 p.m., Based on the same, PW1, who is brother of the deceased, gave a complaint and an FIR came to be registered in Crime No.95 of 2021.

3. The Trial Court, on considering the facts and circumstances of the case and on appreciation of oral and documentary evidence, came to the conclusion that the prosecution has proved the case beyond reasonable doubts as against A1 and A3 and accordingly, convicted and sentenced them in the following manner:

Accused Rank	Section of law	Sentence of imprisonment	Fine amount
A1	452 of IPC	Two years Imprisonment	-
A1	302 of IPC	Life imprisonment	Rs.2,000/- i/d to undergo two months Simple Imprisonment
A3	342 of IPC	Six months imprisonment	-
A3	302 r/w. 114 of IPC	Life imprisonment	Rs.2,000/- i/d to undergo two months Simple Imprisonment



4. The above sentences were ordered to run concurrently. Insofar as A2 is concerned, he was acquitted from all charges. Aggrieved by the above judgment, the Criminal Appeal has been filed before this Court along with these petitions.

5. Heard the learned counsel for the petitioners and the learned Government Advocate appearing on behalf of the respondent.

6. The main ground that was urged on the side of the petitioners is that the case is borne out of circumstantial evidence. One of the main circumstances that was projected by the prosecution is the so called dying declaration made by the deceased to PW1, who is the brother. The learned counsel submitted that the incident had taken place on 18.07.2021 and the deceased died only on 25.07.2021 and if at all he was conscious, a dying declaration could have been recorded by the learned Judicial Magistrate and it is completely unbelievable that the said statement was made by the deceased to PW1. It is further submitted that in the very same dying declaration, the deceased had implicated A2 also. But however, the Trial Court has given the benefit of doubt for A2. In view of the same, the same yardstick should have been applied for A1 to A3 also.

7. Per contra, the learned Government Advocate, based on the counter filed by the respondent, submitted that the prosecution has proved all the circumstances and the Trial Court has properly appreciated the evidence and convicted and sentenced the A1 and A3. It is further brought to the notice of this Court that A1 has five previous cases and there are no previous cases as against A3.



8. Taking into consideration the submissions made on either side and considering the ground that has been raised on the side of the petitioners that except the so called dying declaration made by the deceased to PW1, no other materials are available, this Court finds that there are arguable points in the appeal and that it will take some more time for this Court to deal with the appeal on merits and hence, this Court is inclined to suspend the sentence imposed on the petitioners and accordingly, these Criminal Miscellaneous Petitions are allowed, subject to the following conditions:

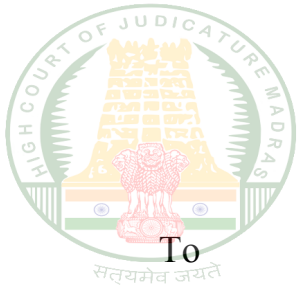
i. The petitioners are directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Virudhunagar District.

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 passbook to ensure their identity.

iii. The petitioners shall appear and sign before the trial Court at 10.30 a.m., on the first working day of every English calendar month, till the disposal of the Criminal Appeal.

(N.ANAND VENKATESH J.) (K.K.RAMAKRISHNAN J.)
24-06-2026

Indu



To

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1.The learned Principal District and Sessions Judge, Virudhunagar District.

2.The Inspector of Police,

Koomapatty Police Station
Virudhunagar District.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.