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CRL MP(MD) NOS. 5598 & 1020 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-03-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

CRL MP(MD) NO. 5598 of 2026 in CRL A(MD).NO.237 of 2026 and

CrI MP(MD) NO.1020 of 2026 in CRL A(MD).NO.76 of 2026

CrI.M.P.(MD).No.5598 of 2026

Ramar

Petitioner(s)

Vs

State of Tamilnadu,
Rep By Inspector Of Police,
Irukkangudi Police Station
Virudhunagar District.
Crime No.42 of 2014.

Respondent(s)

For Petitioner(s):

Mr.R.Murugan

For Respondent(s):

**Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor**



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Prayer:

To Suspend the Sentence imposed by the learned Additional District and Sessions Judge, Srivilliputhur, Virudhunagar District in S.C.No.119 of 2016 dated 31.07.2025, pending disposal of the Criminal Appeal.

Crl.M.P.(MD).No.1020 of 2026

Manikumar

Petitioner(s)

Vs

State of Tamilnadu,
Rep By Inspector Of Police,
Irukkangudi Police Station
Virudhunagar District.
Crime No.42 of 2014.

Respondent(s)

For Petitioner(s):

Mr.R.Sivaprasath

For Respondent(s):

Mr.E.Antony Sahaya Prabahar,
Additional Public Prosecutor

Prayer:

To Suspend the Sentence imposed by the learned Additional District and Sessions Judge, Srivilliputhur, Virudhunagar District in S.C.No.119 of 2016 dated 31.07.2025, pending disposal of the Criminal Appeal.



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COMMON ORDER

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

These petitions have been filed seeking for suspension of sentence imposed on the petitioners in the judgment made in S.C.No.119 of 2016 dated 31.07.2025 on the file of the learned Additional District and Sessions Judge, Srivilliputhur, Virudhunagar District and to enlarge the petitioners on bail.

2. The case of the prosecution is that the deceased had an illicit relationship with the wife of Accused No.1, which resulted in a previous motive. On 24.01.2014, at about 07.00 p.m., when the deceased along with his wife was proceeding in a two-wheeler towards Sattur for medical treatment, Accused No.1 along with the other accused persons came in a Tata Sumo vehicle and rammed the two-wheeler, as a result of which, the deceased and his wife fell down and sustained injuries. Thereafter, Accused No.1 along with the other accused persons attacked the deceased with wooden logs on vital parts, as a result of which, the deceased sustained bleeding injuries. The deceased was thereafter taken to the hospital for treatment, but, however he succumbed to the injuries. Based



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on the complaint given by P.W.1, who is the mother of the deceased, an FIR came to be registered in Crime No.42 of 2014 against the four accused persons. The petitioners were arrayed as Accused Nos.2 and 4. Accused No.1 is said to have died pending trial and hence, the charges abated.

3. The trial Court, on considering the facts and circumstances of the case and on appreciation of oral and documentary evidence, came to a conclusion that the prosecution has proved the case beyond reasonable doubts and convicted and sentenced the petitioners (Accused Nos.2 and 4) in the following manner.

Rank of the Accused	Offence	Punishment
Accused No.2	Section 307 r/w 109 of IPC	Seven years Rigorous Imprisonment, to pay a fine Rs.5,000/- in default to undergo one year simple imprisonment
Accused No.4	Section 302 r/w 109 of IPC	Life imprisonment, to pay a fine of Rs.10,000/- in default to undergo one year simple imprisonment

The above sentences were directed to be run concurrently.



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4. Heard the learned counsel on either side.

5. The main ground that was urged by the learned counsel appearing for the petitioners is that the earliest version immediately after the incident has been spoken to by P.W.13, who is the Doctor, who treated the deceased and in the Accident Register that was marked as Ex.P.9, it has been stated that the injuries were sustained by the deceased in a motor accident and there was no reference to any attack made by the accused persons. The learned counsel submitted that the very genesis of the case of the prosecution becomes questionable in the light of the evidence of P.W.13 pitted against the evidence of the so-called eye-witness-P.W.2, who is none other than the wife of the deceased.

6. Per contra, the learned Additional Public Prosecutor relying upon the counter-affidavit filed by the respondent submitted that the prosecution has proved the motive as well as the incident through P.W.2. He further submitted that the deceased had an illicit relationship with the wife of Accused No.1 and on the date of incident, the accused persons came to the scene of occurrence and dashed on the two-wheeler of the deceased with a



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car and after the deceased fell down, all the accused persons had attacked him with wooden logs. The learned Additional Public Prosecutor, on instructions, submitted that there are no previous cases against the petitioners.

7. In the considered view of this Court, taking into account the ground that has been raised on the side of the petitioners where they have questioned the very genesis of the case of the prosecution, deeper consideration is required. The petitioners have suffered incarceration from July 2025 onwards. There are no previous cases against the petitioners. It will take some more time to take up the appeals for final hearing.

8. Hence, we are inclined to suspend the sentence imposed on the petitioners and accordingly, the Criminal Miscellaneous Petitions are allowed, subject to the following conditions:

- i. The petitioner in CrI.M.P.(MD).No.5598 of 2026 is directed 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 Judicial Magistrate No.II,



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Sattur, Virudhunagar District and the petitioner in Crl.M.P. (MD).No.1020 of 2026 is directed 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 District and Sessions Judge, Virudhunagar District at Srivilliputhur.

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 calender month, till the disposal of the Criminal Appeal.

(N.ANAND VENKATESH J.) (K.K.RAMAKRISHNAN J.)
25-03-2026

TSG



To

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1. The Additional District and Sessions Judge, Virudhunagar District
At Srivilliputhur.

2. The Judicial Magistrate Court No.II, Sattur, Virudhunagar District.

3. The Central Prison, Madurai.

4. The Inspector Of Police,
Irukkangudi Police Station
Virudhunagar District.

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