



CRL MP(MD). No.6504 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 06.04.2026

CORAM

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

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

**CRL MP(MD). Nos.6504 of 2026
in
Crl.A(MD).No.773 of 2025**

Arunkumar

... Petitioner

Vs

State of Tamilnadu
Rep by Inspector of Police,
Kulasekarapattinam,
Police Station,
Thoothukudi District.
Crime No.32 of 2017

... Respondent

PRAYER :- To Suspend the Sentences passed in S.C.No.193 of 2019 dated 04.07.2025 on the file of the Learned II Additional District and Sessions Judge, Thoothukudi and pass such other orders as this Honourable Court may deem fit and proper.

For Petitioner : Mr. S.Poornachandran

For Respondent : Mr.E.Antony Sahaya Prabahar
Additional Public Prosecutor



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ORDER

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

This petition has been filed by the accused seeking suspension of substantive sentence of imprisonment imposed in S.C.No.193 of 2019 dated 04.07.2025 on the file of the learned II Additional District and Sessions Judge, Thoothukudi.

2. The case of the prosecution is that the deceased was known to A1. A2 is said to be assisting A1 in his activities. The deceased had entrusted jewellery to A1 in connection with performance of certain rituals. The same was not returned back and on 08.10.2014 at about 2:00 PM, the deceased came to the farm of A1 and insisted for return of jewellery and money and threatened to expose the illicit relationship of A1. As a result, A1 said to have assaulted the deceased with wooden log and the petitioner (A2) strangled her with string resulting in her death. The accused person buried the body in the coconut farm and concealed the evidence. Subsequently, based on the extra-judicial confessions given to PW4, who is the Village Administrative Officer, the entire incident came to light and the body was exhumed and identified. An FIR came to



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registered in Crime No.32 of 2017 for offences under Sections 302, 120b, 201 and 406 read with 34 of IPC. There are two accused persons in this case and the petitioner is A2.

3. The trial court, on considering the facts and circumstances of the case and on appreciation of the oral and documentary evidence, came to the conclusion that the prosecution has proved the case beyond reasonable doubts. Accordingly, the petitioner was convicted and sentenced in the following manner:

<i>Provision</i>	<i>Sentence</i>
302 IPC	Life Imprisonment and Rs. 5,000/-, in default to undergo 6 months SI
120(B)(1) IPC	Two years RI
201 IPC	Seven years RI and Rs.1,000/-, in default to undergo 6 months SI
406 and 406 IPC	3 years RI

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

5. It is submitted that the only strong evidence that is relied upon by the prosecution is the extra-judicial confession which is said to have



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been given by the accused persons to the Village Administrative Officer (PW4). The order passed by this Court in Crl.MP.(MD) Nos.9872 of 2025 dated 05.01.2026 wherein this Court granted suspension of sentence for A1 was also brought to the notice of this Court.

6. Considering the facts and circumstances of the case and considering the fact that A1 had already been enlarged on bail and taking note of the fact that the petitioner has already suffered incarceration from July 2025 and there are no previous cases against the petitioner and it will take some more time for this Court to deal with the appeal on merits, we are inclined to suspend the sentence imposed on the petitioner and accordingly, this Criminal Miscellaneous Petition is allowed, subject to the following conditions:

(i) The petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties each for a like sum to the satisfaction of the II Additional District and Sessions Judge, Tuticorin;

(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



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(iii) The petitioner shall appear and sign before the trial Court at 10.30 am, on the first working day of every English Calendar month till the disposal of the Criminal Appeal.

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

06.04.2026

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To

1. The II Additional District and Sessions Judge, Thoothukudi.
2. The Inspector of Police,
Kulasekarapattinam,
Police Station,
Thoothukudi District.
3. The Superintendent of Prisons, Central Prison, Madurai.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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

PKN

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