



CRL MP(MD) NO. 8626 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-06-2026

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

CRL MP(MD) NO. 8626 of 2026 in CRL.A(MD).No.472 of 2026

Chelladurai

Petitioner(s)

Vs

State of Tamilnadu,
Rep By Inspector of Police,
Sathankulam Police Station
Thoothukudi District.
Crime No. 49 of 2021.

Respondent(s)

For Petitioner(s):

Mr.V.Kathirvel, Senior Counsel
for Mr.K.Prabhu

For Respondent(s):

Mr.C.Christopher, Counsel for the State (Criminal Side)

Prayer:

To suspend the sentence by granting bail in S.C. No. 206 of 2021 dated 18.03.2026 on the file of the learned I Additional District and Sessions Judge, Thoothukudi pending disposal of the above Criminal Appeal and thus render justice.



ORDER

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This petition has been filed to suspend the sentence by granting bail in S.C. No. 206 of 2021 dated 18.03.2026 on the file of the learned I Additional District and Sessions Judge, Thoothukudi.

2. The case of the prosecution is that the deceased tried to talk with the daughter-in-law of the accused person and she warned the accused person in this regard. Enraged by the same, on 11.11.2026 at about 18.00 hours, the deceased is said to have attacked the daughter-in-law of the accused person and assaulted her with aruval, which resulted in the registration of an FIR in Crime No.398 of 2020 against the deceased. The deceased was arrested and later, came out on bail. He went to the house of the petitioner's daughter-in-law and threatened her to withdraw the criminal case. Hence, another complaint was lodged before the Sathankulam Police Station, which was taken on file in C.S.R.No.128 of 2021. In the light of this background, the accused person is said to have attacked the deceased on 24.02.2021 at about 08.30 hours. This resulted in an FIR registered in Crime No.49 of 2021. The trial Court, after



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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 accordingly, convicted the petitioner for offence under Section 302 IPC and sentenced him to undergo life imprisonment and to pay a fine of Rs.10,000/- in-default to undergo three months simple imprisonment. Aggrieved by the same, the present petition has been filed before this Court.

3. Heard the learned counsel on either side.

4. It is contended that the prosecution had examined P.W.4 to P.W.7 as eye-witnesses in this case and all these witnesses turned hostile. The trial Court had relied upon the evidence of P.W.8 as if he is an eye-witness, but, however, the Investigating Officer (P.W.17) during the course of evidence specifically stated that P.W.8 was not examined as an eye-witness. It is further contended that in the absence of evidence of P.W.8, there is no material available as against the petitioner.

5. Per contra, the learned counsel for the State of Tamil Nadu



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(Criminal Side) based on the counter-affidavit filed by the respondent Police submitted that the trial Court had convicted and sentenced the accused based on the eye-witness account and also the medical evidence and therefore, opposed the grant of bail to the petitioner. The learned counsel for the State of Tamil Nadu (Criminal Side) on instructions further submitted that there are no previous cases against the petitioner.

6. Taking into consideration the ground that has been raised on the side of the petitioner, this Court finds that there are arguable points in this appeal. This Court also takes into consideration the fact that the petitioner has suffered incarceration from March 2026 and there are no previous cases against the petitioner and it will take some more time to take up the main appeal for final hearing, and hence, this Court is inclined to suspend the sentence and accordingly, the 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.25,000/- (Rupees Twenty Five thousand only) with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sathankulam.



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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 petitioner 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.)
25-06-2026

TSG

To

- 1.The I Additional District and Sessions Judge, Thoothukudi.
- 2.The Judicial Magistrate Court, Sathankulam.
- 3.The Superintendent of Prison, Central Prison, Palayamkottai.
- 4.The Inspector of Police, Sathankulam
Police Station,
Thoothukudi District.
- 5.The Additional Public Prosecutor, Madurai Bench of Madras High Court, Madurai.