



CrIMP(MD)No.9075 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 04.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**CrIMP(MD)No.9075 of 2026
in
CrI A(MD)No.500 of 2026**

Chinnakaruppan @ Chinnakaruppu

...Petitioner

Vs

**1.The State of Tamil Nadu
represented by
the Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.**

**2.The State of Tamil Nadu
represented by
the Inspector of Police,
Melavalavu Police Station,
Melur Sub Division,
Madurai District.
[Crime No.40 of 2021]**

3.Bharathi Jeyasimman

... Respondents

PRAYER: Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita, to suspend the sentence imposed in SplSC.No.40 of 2021 on the file of the III Additional District & Sessions Judge (PCR), Madurai dated 13.02.2026.



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For Petitioner : Mr.V.Ramesh
For Respondent : Mrs.V.Moushika,
Nos.1 and 2 Government Advocate
For Respondent : Mr.K.Prabhu
No.3

ORDER

The petitioner is the sole accused in SplSC.No.40 of 2021 on the file of the III Additional District & Sessions Judge (PCR), Madurai. He was prosecuted for the offence under Sections 307 IPC r/w 3(2) (v) of ST/ST (POA) Act, Section 3(1)(s), 3(1)(r) of SC/ST (POA) Act, Section 506(2) IPC r/w Section 3(2)(va) of SC/ST (POA) Act, Section 326 of IPC r/w Section 3(2)(v) of SC/ST (POA) Act. By judgment dated 13.02.2026, the petitioner was found guilty, convicted and sentenced to undergo 10 years rigorous imprisonment with a fine of Rs.3,000/-, in default to undergo 3 months rigorous imprisonment for the offence under Section 326 of IPC and sentenced to undergo 1 year rigorous imprisonment with a fine of Rs.1,000/-, in default to undergo 1 month simple imprisonment for the offence under Section 506(ii) IPC and the petitioner has been acquitted of the other charges under the SC/ST (POA), Act. As against the conviction and sentence imposed by



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the trial Court, the petitioner has filed an appeal in CrlA(MD)No.9075 of 2026 along with this petition to suspend the sentence imposed on him by the trial court. The appeal has been admitted by this Court on 29.04.2026.

2.The learned counsel for the petitioner submits that this a foisted case and the petitioner has not committed any offence. The learned counsel for the petitioner submits that the alleged weapon was subjected for forensic analysis and the report shows that group of the blood found in the weapon did not match with the victim's blood group. The trial court acquitted the petitioner of the charges under the SC/ST (POA) Act. According to the learned counsel the petitioner is in jail from the date of conviction on 13.02.2026.

3.The learned Government Advocate and the learned counsel for the 3rd respondent submit that the petitioner has caused grievous injury to the defacto complainant and he has suffered 60% disability. The learned counsel for the 3rd respondent submits that as against the acquittal of the petitioner in other charges, they have filed an appeal in CrlA(MD)No.465 of 2026.



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4.This court has considered the rival submissions made.

5.Though the petitioner was charged for the offence under Sections 307 IPC r/w 3(2) (v) of ST/ST (POA) Act, Section 3(1)(s), 3(1)(r) of SC/ST (POA) Act, Section 506(2) IPC r/w Section 3(2)(va) of SC/ST (POA) Act, Section 326 of IPC r/w Section 3(2)(v) of SC/ST (POA) Act, the trial court has acquitted the petitioner of the charges under the SC/ST (POA) Act. The petitioner has raised certain arguable points which can be appreciated only during the final hearing of the appeal. However appeal could not be taken up immediately for final hearing. Considering the period of incarceration and that the appeal could not be taken up immediately for final hearing, this court is inclined to suspend the sentence pending the appeal.

6.Accordingly this petition is allowed and the substantive sentence of imprisonment imposed on the petitioner alone is suspended pending disposal of the criminal appeal on the following conditions:

(i) The petitioner is ordered to be enlarged on bail on executing a bond for a sum of Rs.1,00,000/- (Rupees One Lakh) with two sureties



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each for a like sum to the satisfaction of the learned III Additional District & Sessions Judge (PCR), Madurai.

(ii) The petitioner and the sureties shall file an affidavit before the respondent police that the petitioner will not misuse this liberty, will not indulge in any further offence, will not visit the occurrence place, pending the appeal.

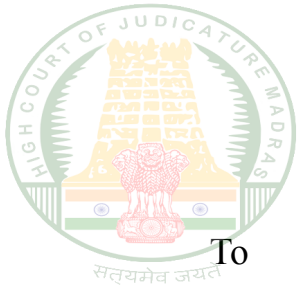
(iii) The petitioner shall stay at Tiruppur and report before the Inspector of Police, Central Police Station, Tiruppur daily at 10.30am.

(iv) If the petitioner changes his residence, it shall be informed to the respondent police immediately.

(v) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

04.06.2026

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To

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1. III Additional District &
Sessions Judge (PCR), Madurai
2. The Deputy Superintendent of Police,
Melur Sub Division,
Madurai District.
3. The Inspector of Police,
Melavalavu Police Station,
Melur Sub Division,
Madurai District.
4. The Superintendent,
Central Prison,
Madurai.

Copy to

1. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.
2. The Inspector of Police,
Central Police Station,
Tiruppur.



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B.PUGALENDHI.J.,

DSK

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