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CRL MP(MD) NO. 9492 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24-06-2026

CORAM

THE HONOURABLE MR JUSTICE N.ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K.RAMAKRISHNAN

CRL MP(MD) Nos.9492 and 8866 of 2026

in Crl.A(MD) Nos.527 and 487 of 2026

CRL MP(MD) No.9492 of 2026

Karthi

Petitioner(s)

Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Kabisthalam Police Station
Thanjavur District.
Crime No.127 of 2015.
Respondent

For Petitioner(s):

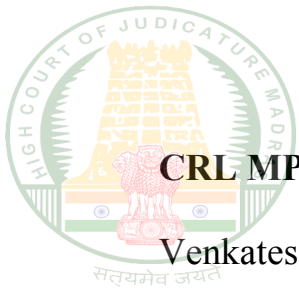
Mr.Karthikeyan P

For Respondent(s):

Mr.D.Venkatesh
Counsel for State of TN (Crl.Side)

Prayer:

C-60.To suspend the sentence imposed upon the petitioner in Sessions Case No. 102/2017 on the file of the learned Additional District and Sessions Judge (FTC), Kumbakonam, Thanjavur District, dated 19.12.2025 pending disposal of the main criminal appeal.



CRL MP(MD) No.8866 of 2026

Venkatesan

Petitioner(s)

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Vs

State of Tamilnadu,
Represented by the Inspector of Police,
Kabisthalam Police Station
Thanjavur District.
Crime No.127 of 2015.
Respondent

For Petitioner(s):

Mr.K.Sukumaran

For Respondent(s):

Mr.D.Venkatesh

Counsel for State of TN (Crl.Side)

Prayer:

C-60.To suspend the sentence imposed upon the petitioner in Sessions Case No. 102/2017 on the file of the learned Additional District and Sessions Judge (FTC), Kumbakonam, Thanjavur District, dated 19.12.2025 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 petitioner by the learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam, passed in S.C.No.102/2017 dated 19.12.2025 and to enlarge the petitioners on bail

2. The case of the prosecution is that the deceased and the defacto complainant served as Poojaris at a Temple. They were approached by the Accused No.1, 10 days prior to the incident with the request to conduct a marriage that was scheduled on 12.06.2015. The deceased was not able to take up the offer, since he had



committed himself to another marriage on the same day. Hence, the deceased asked the Accused No.1 to engage some other Poojari. This is said to be the motive for the accused persons to eliminate the deceased by attacking him with wooden logs, which resulting in the deceased sustaining grievous injuries and succumbing to his injuries on 23.06.2015. In the mean time, the statement of the deceased was recorded on 15.06.2015 and based on the same, an FIR came to be registered in Crime No.127 of 2015 for the offences under Sections 147, 148, 341, 294(b), 323, 324, 506(2) and 307 of IPC. After the demise of the deceased, it was altered to 302 of IPC

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 established the case beyond reasonable doubts and accordingly, convicted and sentenced the accused persons. The petitioners have been arrayed as Accused Nos.1 and 4 respectively. The petitioners were convicted and sentenced in the following manner:

Section of law	Sentence of imprisonment	Fine amount
148 of IPC	Three years Imprisonment	Rs.1,000/- i/d to undergo six months imprisonment
341 of IPC	One month imprisonment	Rs.500/- i/d to undergo one week imprisonment
364 of IPC	Three years imprisonment	Rs.1,000/- i/d to undergo six months imprisonment
302 r/w. 149 of IPC	Life imprisonment	Rs.5,000/- i/d to undergo one year imprisonment



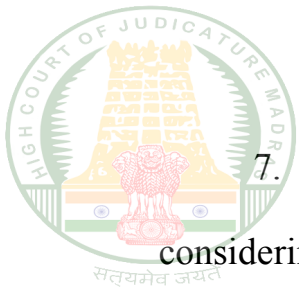
The above sentences were ordered to run concurrently

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4. Heard the learned counsel on either side.

5. The main ground that was urged on the said of the petitioners is that none of the eye-witnesses supported the case of the prosecution and except for the evidence of the official witnesses, no other material was available against the accused persons. He further submitted that the trial Court had taken into account the evidence of P.W. 17, who says that he saw the accused persons taking the deceased near the place of occurrence. The learned counsel also brought to our notice the order passed in CrI.M.P.(MD).No.4745 of 202 dated 27.02.2026, wherein on similar grounds, Accused No.5 was enlarged on bail. Apart from that in CrI.M.P(MD) No.5307 of 2026 in CrI.A(MD) No.307 of 2026 by an order dated 21.04.2026, suspension of sentence was granted for A2.

6. Per contra, the learned Additional Public Prosecutor submitted that even though the eye-witness turned hostile, the same cannot be rejected outright and the Court below took into consideration the statement that was recorded from the deceased prior to his demise and the evidence of P.W.17 and also the evidence of the Doctor-P.W.12. He further submitted that their evidence is corroborated by the evidence of P.W.20 and Ex.P.10 and Ex.P.11. On instructions, the learned Counsel for State of TN submitted that after the incident, there are no cases against the petitioners.



7. Taking into consideration the facts and circumstances of the case and considering the ground that has been raised on the side of the petitioners and also taking note of the fact that Accused Nos.2 and 5 were already granted suspension of sentence by this Court on similar grounds and considering the fact that there are no previous cases against the petitioners and the fact that the Criminal Appeal cannot be taken up for final hearing in the near future, this Court is inclined to suspend the sentence 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.25,000/- (Rupees Twenty Five Thousand only) each with two sureties, each for a like sum to the satisfaction of the learned Additional District and Sessions Judge, (Fast Track Court), Kumbakonam.

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

1. The Inspector of Police,

Kabisthalam Police Station

Thanjavur District.

2. The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.