

CRL MP(MD) No.9553 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **24.06.2026**

WEB COPY

CORAM

THE HONOURABLE MR JUSTICE N. ANAND VENKATESH

AND

THE HONOURABLE MR JUSTICE K.K. RAMAKRISHNAN

Crl.M.P(MD) No.9553 of 2026

in Crl.A(MD) No.532 of 2026

Manikandan

Petitioner

Vs

1.The Deputy Superintendent of Police,
Bodi Sub Division,
Bodi Town Police Station,
Theni District.
(Crime No.312 of 2020)

2.Alagarsamy

Respondents

For Petitioner:

Mr.K.Jeyamohan

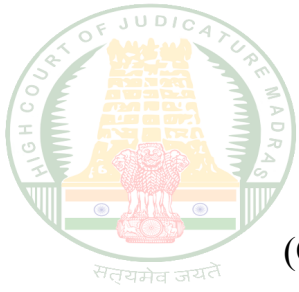
For Respondent(s):

Mr.G.Karuppasamy Pandiyan
Counsel for State of TN (Crl.Side) for R1

Mr.G.Rajan for R2

Prayer:

To Suspend the sentence imposed on the petitioner by the learned Special Court for Trial of Cases under SC/ST(PoA) Act, Theni, in S.C.No.189 of 2020 by the judgment dated 10.04.2026 and enlarge the petitioner on bail pending disposal of the appeal.



ORDER

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

WEB COPY

This petition has been filed seeking suspension of the sentence of imprisonment imposed on the petitioner by the learned Special Court for Trial of Cases under SC/ST(PoA) Act, Theni, in S.C.No.189 of 2020 by the judgment dated 10.04.2026 and to enlarge the petitioner on bail.

2. The case of the prosecution is that on 27.03.2020 at about 5.30 PM, the petitioner is said to have left his home naked and had attacked the deceased by biting on her neck and caused grievous injury. This incident had taken place during the pandemic period, when there was restriction in movement and the petitioner was kept in isolation. A complaint was given by PW1, who is a son of the deceased, based on which, an FIR came to be registered in Crime No.312 of 2023 for the offence under Section 270, 271 and 326 of IPC r/w. Section 3 of Epidemic Diseases Act.

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 doubt against the petitioner and accordingly convicted and sentenced the petitioner in the following manner:



WEB COPY

<i>Provision under which convicted</i>	<i>Sentence</i>
Sec.271 of IPC	Three months rigorous imprisonment and to pay a fine of Rs.1,000/-, in default to undergo one month simple imprisonment.
Section 3 of Epidemic Diseases Act	Three months rigorous imprisonment and to pay a fine of Rs.50,000/-, in default to undergo one month simple imprisonment.
Section 302 of IPC r/w. 3(2)(V) of SC/ST (PoA) Act, 1989	Life imprisonment and to pay a fine of Rs. 2,000/-, in default to undergo one year rigorous imprisonment.

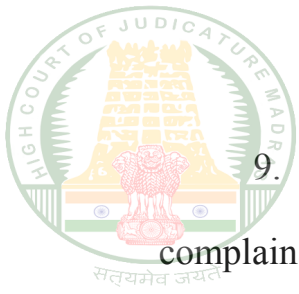
4. The above sentences were ordered to run concurrently. Aggrieved by the same, an appeal has been filed along with this petition.

5. Heard the learned counsel for the petitioner and the learned Counsel for the State of Tamil Nadu (Crl. Side) appearing for the respondent.

6. In the case in hand, the primary ground that has been urged before this Court is that the petitioner suffers from mental disorder.

7. The learned counsel appearing for the first respondent produced the certificate issued by the Government Rajaji Hospital, Madurai, wherein it is stated that the petitioner suffers from "bipolar mood disorder", which is a major mental illness and he is undergoing continuous treatment and regular follow up with the Psychiatrist for his illness.

8. The Trial Court has dealt with this issue and has come to a conclusion that the petitioner will not be entitled for the exception provided under Section 84 of IPC.



9. The learned counsel for the second respondent, who is the defacto complainant, vehemently opposed the grant of bail to the petitioner, considering the manner in which, this incident had taken place.

10. The learned counsel for the petitioner submitted that it is the family members of the petitioner, who are supporting the petitioner by providing medicine and that if the petitioner is enlarged on bail, an undertaking will be given to effect that the petitioner will be taken care and will be under the complete control of the family members.

11. Taking into consideration of the facts and circumstances of the case and considering the fact that there are some points for argument in this appeal and it will take some more time for this Court to hear the appeal on merits and also considering the fact that the petitioner is inside the jail from March 2026 and that there are no previous cases against the petitioner, this Court is inclined to grant suspension of sentence by suspending the sentence imposed on the petitioner. Accordingly, this 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 learned Special Judge for Trial of Cases under SC/ST(PoA) Act, Theni.

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.

iv. The wife of the petitioner shall submit an undertaking before the Trial Court that she will take care of the petitioner and the petitioner will be under her complete control.

v. There shall be a direction to the Inspector of Police, Bodinayakkanur Town Police Station, to keep a vigil over the petitioner to ensure that the petitioner is kept under the control of his wife.

(N.ANAND VENKATESH J.) (K.K.RAMAKRISHNAN J.)
24.06.2026

Indu

To

1.The learned Special Judge for Trial of Cases under SC/ST(PoA) Act, Theni.

2.The Deputy Superintendent of Police,

Bodi Sub Division,
Bodi Town Police Station,
Theni District.

3.The Additional Public Prosecutor,

Madurai Bench of Madras High Court, Madurai.