



Crl.MP(MD) No.7785 of 2025 in
Crl.A(MD) No.309 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :25.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.7785 of 2025

in

Crl.A(MD) No.309 of 2025

Tennyson

... Petitioner

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Yelayirampannai Police Station,
Virudhunagar District.
Crime No.20/2019

... Respondent

Prayer :- This Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 to suspend the sentence imposed on the petitioner in SC No.157 of 2019, dated 18.09.2024, by the Fast Track Mahila Court, Virudhunagar District at Srivilliputhur.

For Petitioner : Mr.N.K.Ponraj
For Respondent : Mr.A.S.Abul Kalaam Azad
Government Advocate (Crl.side)



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ORDER

The petitioner, who is the sole accused in S.C.No.157 of 2019, on the file of the Fast Track Mahila Court, Virudhunagar District at Srivilliputhur was tried for the offence under Sections 294b, 307 IPC and Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998 and the trial Court has found him guilty, convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1.	307 IPC	10 years Rigorous imprisonment	Rs.10,000/-	Six months rigorous imprisonment
2.	Section 4 of Tamil Nadu Prohibition of Harassment of Women Act, 1998	3 years Rigorous imprisonment	Rs.10,000/-	Six months rigorous imprisonment

As against the conviction and sentence imposed by the trial Court in SC No.157 of 2019, dated 18.09.2024, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.309 of 2025 and the same was



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admitted by this Court, by order, dated 12.03.2025. Along with the appeal, the petitioner has also moved an application in Crl.MP(MD) No.3227 of 2025 to suspend the sentence imposed on him by the trial Court and the same was dismissed as withdrawn on 25.03.2025. This is the second application filed by the petitioner, seeking suspension of sentence.

2.The learned counsel appearing for the petitioner submits that the petitioner is languishing in jail from the date of judgment, i.e. on 18.09.2024. He further submits that due to misunderstanding and on a sudden quarrel, the occurrence had taken place. Now, the petitioner has realized his mistake and he is prepared to support his family. According to the learned counsel, the petitioner undertakes that he would not disturb his wife and children any more. Therefore, the petitioner may be considered for grant of suspension of sentence.



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3.The learned Government Advocate (Crl.side) appearing for the respondent submits that this petitioner is a drunkard, used to create problems with his wife in intoxicated condition. Therefore, the victim/PW1 has left the matrimonial home and she was residing along with her parents. On the date, prior to the occurrence, the petitioner went to his father-in-law's home and created problem with his wife. She has refused to open the door. Therefore, this petitioner has waited till early morning and when his wife opened the door, he stabbed in her stomach and chest with an attempt to murder her. Therefore, he was prosecuted and the case of the prosecution was supported by eyewitnesses and PW 1/victim and he was rightly convicted by the trial Court. The learned Government Advocate further submits that if the petitioner is released on bail, he would disturb his wife and children. Therefore, he seeks for dismissal of this petition.

4.This Court considered the rival submissions made and also perused the materials placed on record.



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5. Admittedly, there was a dispute between the petitioner and his wife, and the petitioner exceeded his limits to the extent of stabbing his wife. The petitioner claims that on misunderstanding and also on a sudden provocation, he has committed the mistake and now he has realized. He is prepared to file an affidavit of undertaking before the respondent police that he will not disturb his wife and the children. The petitioner is languishing in jail for the past 1 ½ years and this petition is pending from the year 2025. However the appeal could not be taken up immediately, for want of time. In view of the above and considering the period of incarceration and also considering the submissions made by the petitioner's counsel that the petitioner undertakes to file an affidavit of undertaking that he will not disturb his wife and the children, this Court is inclined to suspend the sentence imposed on the petitioner. However, considering the serious objections raised by the learned Government Advocate, this Court imposes



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certain stringent conditions on the petitioner.

6. Accordingly, the substantive sentence of imprisonment alone is suspended pending disposal of the criminal appeal and the petitioner is ordered to be enlarged on bail on the following conditions:-

- i. The petitioner shall execute a bond for a sum of Rs.50,000/- (Rupees Fifty Thousand) with two sureties each for a like sum to the satisfaction of the learned Judge, Fast Track Mahila Court, Virudhunagar District at Srivilliputhur.
- ii. The petitioner shall file an affidavit of undertaking before the respondent police that he will not disturb his wife and the children and he will be available during the final hearing of the appeal.
- iii. The petitioner shall pay a sum of Rs.5,000/- every month to



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his wife towards maintenance of their children pending appeal.

iv. The petitioner shall report before the trial Court on the first working day of every English Calender month at 10.30 a.m.,

v. The petitioner shall stay at Tiruppur and he shall not visit the occurrence village pending appeal.

vi. If the petitioner violates any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

25.03.2026

Index : Yes/No

Internet : Yes/No

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To

- 1.The Fast Track Mahila Court, Virudhunagar District at
Srivilliputhur.
- 2.The Inspector of Police,
Yelayirampannai Police Station,
Virudhunagar District.
- 3.The Superintendent,
Central Prison,
Madurai.



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B.PUGALENDHI, J.,

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