



CrIMP(MD)No.12107 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED : 02.07.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

**CrIMP(MD)No.12107 of 2026
in
CrIA(MD)No.717 of 2026**

Ayyasamy

...Petitioner

Vs

**1.The State of Tamil Nadu
rep by Deputy Superintendent of Police,
Manapparai Sub Division,
Trichy District.**

**2.The Inspector of Police,
Puthanatham Police Station,
Trichy District.
[Crime No.49 of 2024]**

3.Kandasamy

... Respondent

PRAYER: Petition filed under Section 430 of Bharatiya Nagarik Suraksha Sanhita to suspend the sentence imposed in SplSC.No.53 of 2024 on the file of the I Additional District and Sessions Judge [PCR], Trichy dated 20.05.2026 and enlarge the petitioner / appellant on bail pending disposal of the above said criminal appeal.



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For Petitioner : Mr.S.Manoj Kumar

For Respondent : Mr.V.Sathurthi Raja

Nos.1 and 2 Government Advocate

ORDER

The petitioner is sole accused in SplSC.No.53 of 2024 on the file of the I Additional District and Sessions Judge [PCR], Trichy. He was tried for the offence under Sections 294(b), 323, 324, 506(ii) IPC r/w Section 3(1)(r), 3(1)(s), 3(2)(va) of SC/ST (POA) Act and by judgment dated 20.05.2026 the petitioner has been found guilty, convicted and sentenced to undergo 2 years simple imprisonment for the offence under Section 324 IPC and no fine was imposed. As against the conviction and sentence, the petitioner has filed an appeal in CrIa(MD)No.717 of 2026 along with this petition to suspend the sentence. The appeal has been admitted by this court. The trial court has suspended the sentence upto 16.07.2026.

2.The learned counsel for the petitioner submits that there are 13 witnesses and 13 MOs were marked in this case. However, there is no proper explanation for the delay of 90 days between the 1st and 2nd



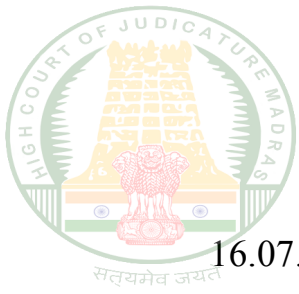
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complaints filed by the defacto complainant. The prosecution has not collected the call details records and has not recovered the lock alleged to have been used for assault. There are contradictions as to the place of occurrence, whether it is in the accused shop or in an empty land. There are different opinions of the doctors with regard to the injury sustained by the defacto complainant. Non examination of the independent witness, who was present at the place of occurrence is fatal to the prosecution case. He further submits that the complaint given by the petitioner in Crime No.50 of 2024 is still under investigation.

3.The learned Government Advocate submits that the trial court has considered the prosecution evidence and the documents and rightly convicted the petitioner for the offence under Section 324 IPC.

4.This court considered the rival submissions made and perused the material placed on record.

5.The petitioners have been convicted for a period of two years. It is reported that the trial court has suspended the sentence upto



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16.07.2026. The petitioner has raised certain arguable points in this petition, which can be considered only during the final hearing of the appeal. However the appeal could not be taken up for final hearing for want of time. Considering the period of sentence imposed on the petitioner and the grounds raised by the petitioner and that the appeal could not be taken up for final hearing this court is inclined to allow this petition.

8. 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 Rs.25,000/- (Rupees Twenty Five Thousand) each with two sureties each for a like sum, to the satisfaction of the learned I Additional District and Sessions Judge, Special Court for trial of SC/ST [POA] Act Cases, Trichy.

(ii) The petitioner shall file an affidavit before the respondent police that he will not misuse this liberty and



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will not indulge in any further offence.

(iii) The petitioner shall report before the trial court on the first working day of every month.

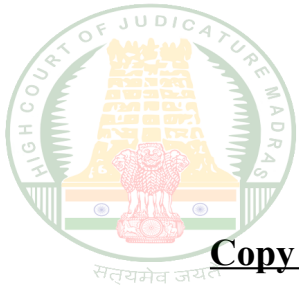
(iv) If the petitioner violates any of the conditions, the respondent police shall move an application to cancel the order of suspension of sentence of imprisonment.

02.07.2026

DSK

To

1. Additional District and Sessions Judge,
Special Court for trial of
SC/ST [POA] Act Cases,
Trichy.
2. The Deputy Superintendent of Police,
Manapparai Sub Division,
Trichy District.
3. The Inspector of Police,
Puthanatham Police Station,
Trichy District.



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The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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B.PUGALENDHI.J.,

DSK

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