



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :24.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.11495 of 2025
in
Crl.A(MD) No.917 of 2025

Muthuraman

... Petitioner

Vs.

State of Tamil Nadu,
Rep by the Inspector of Police,
Sattur Town Police Station,
Sattur,
Virudhunagar District.
[Cr.No.162 of 2011]

... Respondent

Prayer: Petition filed under Section 430(2) of BNSS to suspend the sentence imposed in SC.No.136 of 2023 on the file of the Assistant Sessions Judge, Sattur, Virudhunagar District, dated 02.01.2025 and enlarge the petitioner / appellant on bail, pending disposal of the above said criminal appeal.

For Petitioner : Mr.S.M.Anantha Murugan
For Respondent : Mr.AS.Abul Kalaam Azad,
Government Advocate (Crl Side)



WEB COPY



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

ORDER

The petitioner is accused No.6 in Crime No.162 of 2011 on the file of the respondent police. The occurrence had taken place on 04.03.2011. The other accused were secured only in the year 2023. They were tried for the offence under Sections 397 and 457 IPC before the learned Assistant Sessions Judge, Sattur, Virudhunagar District in S.C.No.136 of 2023. By judgment dated 02.02.2025 the petitioner was found guilty by the trial Court, was convicted and sentenced to undergo 10 years rigorous imprisonment for the offence under Section 457 IPC and to undergo 7 years rigorous imprisonment for the offence under Section 397 IPC. As against the conviction and sentence imposed by the trial Court the petitioner has filed a Criminal Appeal in Crl.A(MD) No.917 of 2025 and the same has been admitted by this Court on 28.08.2025. Along with the appeal the petitioner has filed this petition to suspend the sentence, however the petitioner has not prosecuted this petition for the past six months and it has been taken up for hearing today.



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

WEB COPY

2.The learned counsel appearing for the petitioner submits that the occurrence had taken place in the early morning hours on 04.03.2011. The petitioner has been arrested in the year 2023 and the prosecution has been laid as against the petitioner and few others. According to the learned counsel for the petitioner, the recovery was made after a period of three years and the wooden log alleged to be used by the petitioner has not been recovered. There are contradictions between the evidence of PW1 and PW2 with regard to the weapon used since PW1 says it is wooden log, wherein PW2 says it is iron rod. The occurrence took place at 2.30 am, the case was registered at 8.30 am, but the police officers have reached the place and conducted enquiry even before registration of the FIR.

3.The learned Government Advocate appearing for the respondent police submits that on 04.03.2011 in the early morning hours the petitioner along with 8 other accused entered into the house of the defacto complainant, put the victims under threat at knife point, assaulted and robbed 67.5 sovereigns of gold jewels and cash of



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

Rs.1 lakh from the house of the defacto complainant. PW1 to PW4 and PW7 are the residents in the house, where the occurrence took place and they are the eye witnesses and victims. They have entered the witness box and deposed before the trial court. They have also identified the petitioner during the identification parade conducted on 19.05.2014. According to him all the 5 witnesses have identified this petitioner during the identification parade and also during the trial. 15 sovereigns of jewels were recovered from this petitioner. The petitioner was in jail in connection with other case and therefore, he was arrested formally in April 2014 itself. He further submits that the petitioner is a history sheeted rowdy and he is having the following criminal cases :

1. Sembanarkoil PS, Mayiladuthurai District – Crime No.504 of 2012, registered for the offence under sections 395, 397 IPC @ 397, 412 and 414 IPC – PT.
2. Devakottai PS, Sivagangai District – Crime No.645 registered for the offence under sections 395 IPC– PT.
3. Thirupathur PS, Sivagangai District – Crime No.446 of 2009 registered for the offence under section 395 IPC– PT.
4. Manapparai PS, Trichy District – Crime No.123 of 2013,



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

registered for the offence under section 395 IPC– PT.

5. Thuraiyur PS, Trichy District - Crime No.52 of 2013, registered for the offence under sections 395 IPC– PT.
6. Srivilliputhur Town PS, Virudhunagar District – Crime No.44 of 2012 registered for the offence under sections 397 IPC @ 297, 414 - PT.

4.This court has considered the rival submissions made.

5.Considering the nature of offence, the statement of the victims / PW1 to 4 and 7, the recovery of 15 sovereigns of jewels from this petitioner and also considering the antecedents, which are similar in nature, this court is not inclined to entertain this petition. Accordingly, this petition is dismissed with a direction to the Registry to list the main appeal under the caption 'Accused in Jail Cases' during 2nd week of June 2026.

24.03.2026

Index : Yes/No
Internet : Yes/No

DSK

5/7



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

WEB COPY

To

1.The Inspector of Police,
Sattur Town Police Station,
Sattur,
Virudhunagar District.

2.The Assistant Sessions Judge,
Sattur, Virudhunagar District.

Copy to

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



WEB COPY



Crl.MP(MD) No.11495 of 2025 in
Crl.A(MD) No.917 of 2025

B.PUGALENDHI, J.,

DSK

Crl.MP(MD) No.11495 of 2025
in
Crl.A(MD) No.917 of 2025

24.03.2026