



*Crl.MP(MD) No.13235 of 2025 in
Crl.A(MD) No.960 of 2025*

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :06.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.13235 of 2025
in Crl.A.(MD)No.960 of 2025

Karuppasamy @ Vijayakanth

... Petitioner

Vs.

State of Tamilnadu,
Rep By Inspector Of Police,
Vasudevanallur Police Station,
Tenkasi District.
(Crime No. 127/2017)

... Respondent

Prayer: Petition filed under Section 422 & 439 of BNSS to grant an order of suspension of sentence imposed in the conviction judgment passed in S.C.No.715 of 2017 on 14.08.2025 on the file of the Assistant Sessions Court, Sankarankovil, Tenkasi District pending disposal of the Criminal Appeal.

For Petitioner : Mr.M.Jothi Basu

For Respondent : Mr.A.S.Abul Kalam Azad
Government Advocate (Crl. Side)



*Crl.MP(MD) No.13235 of 2025 in
Crl.A(MD) No.960 of 2025*

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ORDER

The petitioner, an accused in S.C.No.715 of 2017, on the file of the learned Assistant Sessions Judge, Sankarankovil, Tenkasi was found guilty by the trial Court and was convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1	448 IPC	6 months Rigorous imprisonment	-	-
2	307 IPC	10 years Rigorous Imprisonment	Rs.10,000/-	6 months simple imprisonment

As against the conviction and sentence imposed by the trial Court in S.C. No.715 of 2017, dated 14.08.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD)No.960 of 2025 and the same was admitted by this Court on 11.09.2025. The petitioner has also moved this application to suspend the sentence imposed on him by the trial Court.

2. The case of the prosecution is that on 31.05.2017, at about 07.00 hours, the petitioner entered the defacto complainant's house, pushed her hands with sexual intention. Since she refused, the petitioner attacked



*Crl.MP(MD) No.13235 of 2025 in
Crl.A(MD) No.960 of 2025*

her with a sickle, due to which, the defacto complainant sustained injuries.

Since the defacto complainant made noise, the petitioner ran away. Hence, the case.

3. The learned counsel appearing for the petitioner submits that this petitioner is in jail for more than 6 months and he is having a good case in the appeal.

4. The learned Government Advocate appearing for the respondent raised objections that if the sentence of the petitioner is suspended, the petitioner would threaten the victim.

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

6. Though the appeal has been admitted on 11.09.2025, it could not be taken up for final hearing for want of time. The appellant is in jail for more than 6 months. In view of the same, this Court is inclined to suspend the sentence imposed on the petitioner.



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*Crl.MP(MD) No.13235 of 2025 in
Crl.A(MD) No.960 of 2025*

7. 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.25,000/- (Rupees Twenty Five Thousand only) with two sureties each for a like sum to the satisfaction of the learned Assistant Sessions Judge, Sankarankovil, Tenkasi.
- ii. The petitioner shall stay at Madurai District and report before the Inspector of Police, Tallakulam Police Station, Madurai, daily at 10.30 a.m., until further orders.
- iii. The petitioner shall file an affidavit of undertaking before the Inspector of Police, Tallakulam Police Station, Madurai that he will not involve in any offence in future.
- iv. In the event, if the petitioner has violated any of the above conditions, it is open to the respondent police to file an application to cancel the bail granted to him.

06.03.2026

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*Crl.MP(MD) No.13235 of 2025 in
Crl.A(MD) No.960 of 2025*

To

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- 1.The Assistant Sessions Judge,
Sankarankovil, Tenkasi
- 2.The Inspector Of Police,
Vasudevanallur Police Station,
Tenkasi District.
- 3.The Inspector of Police,
Tallakulam Police Station,
Madurai.
- 4.The Superintendent,
Central Prison,
Palayamkottai.



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*Crl.MP(MD) No.13235 of 2025 in
Crl.A(MD) No.960 of 2025*

B.PUGALENDHI, J.,

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Crl.MP(MD)No.13235 of 2025
in
Crl.A(MD)No.960 of 2025

06.03.2026