



Crl.MP(MD) No.17224 of 2025 in
Crl.A(MD) No.1220 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :27.03.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.MP(MD) No.17224 of 2025

in

Crl.A(MD) No.1220 of 2025

Jeya Seelan

... Petitioner

Vs

The State of Tamilnadu,
Rep. by the Inspector of Police,
Kallakad Police Station,
Tirunelveli District.
Crime No.280/2022.

... Respondent

Prayer :- This Criminal Miscellaneous Petition is filed under Section 430(2) of BNSS, 2023 to suspend the sentence imposed on the petitioner in S.C No.158 of 2024, dated 24.09.2025, by the learned Assistant Sessions Judge, Nanduneri.

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



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ORDER

The petitioner/sole accused in S.C.No.158 of 2024, on the file of the Assistant Sessions Judge, Nanguneri was tried for the offence under Sections 294b, 307 and 506(ii) IPC that this petitioner has caused injuries to PW 2/the victim, believing that PW 2 is responsible for the separation of his wife. The trial Court has found this petitioner guilty, convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1.	307 IPC	7 years Rigorous imprisonment	Rs.2,000/-	Three months simple imprisonment

As against the conviction and sentence imposed by the trial Court in SC No.158 of 2024, dated 24.09.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD) No.1220 of 2025 and the same was admitted by this Court, by order, dated 17.11.2025. Along with the appeal, the petitioner has moved this application, seeking suspension of sentence.



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2.The learned counsel appearing for the petitioner submits that though the occurrence was taken place in a public place, the independent witnesses examined on the side of the prosecution, PW 2/ the husband of the victim, PW3/brother of PW 2 and PW 4 /cousin of PW 2 are the relatives of the victim/PW 1. The petitioner was also charged for the offence under Section 294b IPC, however, the trial Court has disbelieved the evidence of PW 1 to PW 4, and acquitted this petitioner under Section 294b IPC. However, the very same witnesses have been relied on by the trial Court to convict the petitioner under Section 307 IPC. The learned counsel further submits that the injuries sustained by PW 1/the victim are only laceration in occiput region. However, the trial Court has found the petitioner guilty and convicted under Section 307 IPC. According to the learned counsel, the prosecution has projected the case that this petitioner was having a motive as against PW 1 that she is responsible for the separation of his wife. However, it has not been substantiated by the



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prosecution. The petitioner is languishing in jail from the date of judgment, dated 24.09.2025.

3.The learned Government Advocate (Crl.side) appearing for the respondent has raised objections that though the doctor has noticed laceration injuries on the victim, he has also found fracture in the right high parietal bone and also in the right index finger of the victim. Therefore, the stand taken by the learned counsel for the petitioner is not acceptable.

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

5.The petitioner has raised certain arguable points, which can be considered only during the final hearing of the criminal appeal. However the appeal could not be taken up immediately, for want of time. In view of the above and considering the period of incarceration,



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this Court is inclined to suspend the sentence imposed 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 Assistant Sessions Judge, Nanguneri.
- ii. The petitioner shall file an affidavit of undertaking before the respondent police that he will not visit the occurrence village pending disposal of the appeal.



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iii. The petitioner shall stay at Madurai and report before the
Inspector of Police, Othakkadai Police Station, Madurai, daily
at 10.30 a.m, until further orders.

iv. 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.

27.03.2026

Index : Yes/No
Internet : Yes/No
vrn



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To

- 1.The Assistant Sessions Judge, Nanguneri.
- 2.The Inspector of Police,
Kallakad Police Station,
Tirunelveli District.
- 3.The Inspector of Police,
Othakkadai Police Station, Madurai
- 4.The Superintendent,
Central Prison,
Palayamkottai.



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B.PUGALENDHI, J.,

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Order made in
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