

*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED :08.06.2026

CORAM:

THE HONOURABLE MR.JUSTICE B.PUGALENDHI

Crl.M.P.(MD)No.18372 of 2025
in Crl.A.(MD)No.1274 of 2025

R.Karmegam

... Petitioner

Vs.

1.State of Tamil Nadu,
Rep by the Inspector of Police,
S.S.Colony Police Station, Madurai.

2.R.Manikandan

... Respondents

(R2 is impleaded vide order of this Court dated 23.02.2026 in Crl.M.P.
(MD)No.20132 of 02025 in Crl.A.(MD)No.1274 of 2025)

Prayer: Petition filed under Section 430(1) of BNSS to suspend the sentence imposed by the V Additional District and Sessions Judge, Madurai, in S.C.No.28 of 2023, dated 14.11.2025, pending disposal of this appeal.

For Petitioner : Mr.V.Kathirvelu, senior counsel
for Mr.R.Manoharan

For Respondents : Mr.A.Robinson,
counsel for State of TN

Mr.J.Pandidurai for R2



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

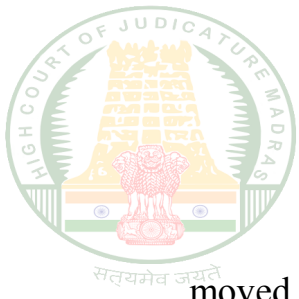
WEB COPY

ORDER

The petitioner, who is A1 in S.C.No.28 of 2023, on the file of the learned V Additional District and Sessions Judge, Madurai was tried along with his wife and grandmother, found guilty by the trial Court and was convicted and sentenced as under:-

Sl.No	Sections	Punishment	Fine amount	Default
1	294(b) IPC	1 month RI	-	-
2	307 IPC	8 years RI	Rs.5,000/-	6 months RI
3	323(2 counts)	6 months RI	-	-
4	448 IPC	6 months RI	-	-
5	3(1) of TNPPDL Act	4 years RI	Rs.5,000/-	6 months RI

As against the conviction and sentence imposed by the trial Court in S.C.No.28 of 2023, dated 14.11.2025, the petitioner has filed a Criminal Appeal in Crl.A(MD)No.1274 of 2025 and the same was admitted by this Court on 26.11.2025. The Trial Court while convicting this petitioner has acquitted A2 and A3 and as against that order of acquittal, the defacto complainant has filed a separate appeal before this Court and the same has been admitted in Crl.A.(MD)No.136 of 2026. The petitioner herein has



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

WEB COPY

moved this application to suspend the sentence imposed on him by the trial Court.

2. The case of the prosecution is that due to previous enmity, on 23.04.2016, at about 05.30 p.m., this petitioner attempted to kill the defacto complainant and others by ramming his Nissan Terrano car bearing Registration No.TN 58 AF 1469 against Gowri Krishna Hotel, due to which, two employees at the Hotel sustained injuries and the Hotel was damaged. Hence, the case.

3. The learned senior counsel appearing for the petitioner submits that there is a civil dispute pending between the defacto complainant and this petitioner and therefore, this case has been foisted. According to him, the petitioner and A2 were injured, for which, they have lodged a complaint. Though the respondent Police registered a case, they have referred the complaint of this petitioner as mistake of fact and filed final report on the complaint of the defacto complainant alone. According to the prosecution, this petitioner is said to have rammed the Hotel of the defacto complainant with his car and caused simple injuries to PW4 and PW5.



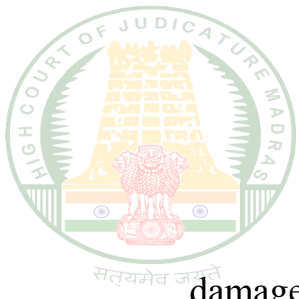
*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

WEB COPY

Those injured witnesses are employees of the defacto complainant and they have exaggerated as if they have suffered injuries. Admittedly, no one has suffered grievous injury. However, this petitioner has been arrested on 24.04.2016 and was in jail for a period of 59 days and thereafter, for a period of 200 days from the date of conviction on 14.11.2025. Therefore, he prays that this suspension of sentence petition may be considered.

4. The learned counsel for State of TN appearing for the first respondent police and the learned counsel appearing for the second respondent / defacto complainant opposed the application that this petitioner claiming to be an Advocate has rammed the Hotel of the defacto complainant in a rash and negligent manner and has caused serious injuries to two employees and also deterred the public in the Hotel.

5. According to the learned counsel for the second respondent / defacto complainant, the petitioner is a habitual offender having several criminal cases to his credit and he is repeatedly disturbing the peaceful possession of the defacto complainant. He also submits that the petitioner not only caused injuries to the employees of the Hotel, but has caused



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

WEB COPY

damage to the Hotel to the tune of several lakhs. He submits that considering this conduct of this petitioner, the Bar Council has also suspended his licence for a period of seven years. The Civil Court has also decreed a sum of Rs.15,00,000/- together with interest as against this petitioner for the damages caused by him to the defacto complainant and the same has been upheld by the Honourable Supreme Court.

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

7. The petitioner is a Law graduate having Office adjacent to the defacto complainant's Hotel. It appears that there was a civil dispute between the petitioner and the defacto complainant, with regard to the parking of vehicles in front of the petitioner's office. On the occurrence day, the petitioner is said to have rammed the car in a furious manner and thereby caused injuries to two employees. The petitioner has also suffered a decree for the loss caused by him to the extent of Rs.15,00,000/-.

8. The petitioner is in jail from the date of conviction on



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

WEB COPY

14.11.2025. The petitioner has raised certain arguable points, 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 points raised by the petitioner, his period of incarceration, that he is a Law graduate, that a civil dispute is pending between the parties and for the reasons that the appeal could not be taken up immediately, this Court is inclined to suspend the sentence imposed on the petitioner.

9. While considering this application, this Court has suggested to the learned senior counsel that the petitioner should pay a sum of Rs. 5,00,000/- to the defacto complainant upon the decree passed against him, subject to EP application, if any filed by the defacto complainant. The learned senior counsel has also agreed for the same.

10. 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.1,00,000/-



WEB COPY



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

(Rupees one lakh only) with two sureties each for a like sum to the satisfaction of the learned V Additional District and Sessions Judge, Madurai.

- ii. The petitioner and the sureties shall submit a copy of their Aadhaar Card or any other identity card issued by the Government in proof of their residence address, before the trial Court as well as before the respondent Police. In the event, if there is any change of address, the same shall be intimated to the respondent Police without fail.
- iii. The petitioner shall deposit a sum of Rs.5,00,000/- (Rupees Five Lakhs only) to the credit of O.S.No.186 of 2016 on the file of the I Additional District Court, Madurai, without prejudice to the claim made by the second respondent / defacto complainant in Execution Petition.
- iv. The petitioner shall stay at Trichy and report before the Inspector of Police, Cantonment Police Station, daily at 10.30 a.m., until further orders.
- v. The petitioner and the sureties shall file an affidavit of



WEB COPY



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

undertaking before the respondent police that the petitioner will not involve in any offence in future.

vi. 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.

08.06.2026

mbi

To

1.The learned V Additional District and Sessions Judge,
Madurai.

2.The Inspector of Police,
S.S.Colony Police Station,
Madurai.

3.The Inspector of Police,
Cantonment Police Station,
Madurai.

4.The Superintendent,
Central Prison,
Madurai.

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



WEB COPY



*Crl.MP(MD) No.18372 of 2025 in
Crl.A(MD) No.1274 of 2025*

B.PUGALENDHI, J.,

mbi

Crl.MP(MD) No.18372 of 2025
in
Crl.A(MD) No.1274 of 2025

08.06.2026