



Crl.M.P(MD)No.20504 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 24.02.2026

CORAM:

THE HONOURABLE **MR.JUSTICE G.K.ILANTHIRAIYAN**

AND

THE HONOURABLE **MS.JUSTICE R.POORNIMA**

Crl.M.P(MD)No.20504 of 2025

in Crl.A(MD)No.1379 of 2025

1.Chinnaiya @ Bose

2.Karuppaiya

... Petitioners/Appellants

Vs.

1.The State of Tamilnadu is rep. by
The Deputy Superintendent of Police,
Thiruppathur Division,
Sivagangai District.

2.The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.
Crime No.39/2018.

3.Nachammai

... Respondents/Respondents

PRAYER: Petition filed under Section 430(1)of BNSS / 389(1) of
Cr.P.C. to suspend the sentence imposed in Spl.S.C.No.70 of 2018,

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dated 27.11.2025 on the file of the Sessions Judge, Special Court for Exclusive trial of cases under registered SC/ST (POA) Act, 1989, Sivagangai and enlarge the petitioners on bail pending disposal of the above Criminal Appeal.

For Petitioners : Mr.G.Karuppasamypandiyan

For Respondent : Mr.R.M.Anbunithi
Additional Public Prosecutor

ORDER

(Order of the Court was made by **G.K.ILANTHIRAIYAN, J.**)

Seeking suspension of the sentence imposed on the petitioners by the learned Sessions Judge, Special Court for Exclusive trial of cases under registered SC/ST (POA) Act, 1989, Sivagangai, vide Judgment dated dated 27.11.2025 in Spl.S.C.No. 70 of 2018, they have filed this Criminal Miscellaneous Petition.



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2. The petitioners stand convicted and sentenced as under:

Section of Law	Sentence of imprisonment	Fine amount
302 of IPC r/w 3(2) (v) of SC/ST (POA) Act	Life Imprisonment	Rs.1,000/- i/d to undergo six months Simple Imprisonment

3. Heard the learned counsel on either side and perused the materials available on record.

4. The second petitioner has failed to make out a prima facie case for grant of suspension of sentence. Hence, we are of the considered opinion that it is not a fit case for granting suspension of sentence to the second petitioner.

5. Accordingly this Criminal Miscellaneous Petition stands dismissed in respect of the second petitioner alone.



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6. Considering the age of the first petitioner and that there are several arguable points and the fact that the appeal is of the year 2025 and the likelihood of the appeal being taken up for final hearing in the near future is also not possible, we are of the opinion that it is a fit case for grant of suspension of sentence to the first petitioner.

7. Accordingly, the Criminal Miscellaneous Petition is allowed in respect of the first petitioner alone and the substantive sentence of imprisonment alone imposed on the first petitioner herein is suspended, subject to the following conditions:

- i. The first petitioner is directed to be enlarged on bail on executing a bond for Rs.10,000/- (Rupees Ten thousand only) with two sureties, each for a like sum to the satisfaction of the learned Sessions Court, Special Court for Exclusive trial of cases under registered SC/ST (POA) Act,



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1989, Sivagangai.

ii. The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank passbook to ensure their identity.

iii. The first petitioner shall stay at Karur and sign before the Karur Town Police Station daily twice ie., Morning at 10.30 a.m., and evening at 05.30 p.m., till the disposal of the Criminal Appeal. He shall not enter into the native place of the deceased.

**[G.K.I.J.,] & [R.P.J.,]
24.02.2026**

Index :Yes/No
Internet :Yes
am



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To

- 1.The Deputy Superintendent of Police,
Thiruppathur Division,
Sivagangai District.
- 2.The Inspector of Police,
Thirukostiyur Police Station,
Sivagangai District.
- 3.The Sessions Court,
Special Court for Exclusive trial of cases
under registered SC/ST (POA) Act, 1989,
Sivagangai.
- 4.The Inspector of Police,
Karur Town Police Station,
Karur.
- 5.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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G.K.ILANTHIRAIYAN, J.
AND
R.POORNIMA, J.

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in
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