



Crl.MP(MD)No.17003 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **17.08.2026**

CORAM

THE HONOURABLE **MR.JUSTICE N.GUNASEKARAN**

CRL.MP(MD)No.17003 of 2026

in

Crl.RC(MD).No.1391 of 2026

Periyasamy

... Petitioner

vs.

The State Represented by,
The Inspector of Police,
Aravakurichi Police Station,
Karur District.
Crime No.105/2021.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 430(1) of BNSS, 2023 @ Section 389(1) of Cr.P.C, to suspend the sentence in judgment dated 15.06.2026 made in Criminal Appeal No. 29 of 2026 on the file of the learned District and Sessions Judge, Karur, confirming the judgment dated 29.01.2026 in C.C.No.124 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi, convicted the petitioner under Section 255(2) of Cr.P.C for the offences under Section 279 of IPC to pay a fine of Rs.1,000/- and in default to undergo one month simple imprisonment, under Section 337 of IPC to pay a fine of Rs.1,000/- and in default to undergo one month simple imprisonment, pending disposal of the above Criminal Revision Petition.



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For Petitioner : Mr.V.Nagarajan

For Respondent : Mr.D.Rajaboopathy
Government Advocate
(Criminal Side)

ORDER

Heard Mr.V.Nagarajan, learned Counsel for the Revision Petitioner and Mr.D.Rajaboopathy, learned Government Advocate (Criminal Side) for the Respondent.

2. This Criminal Miscellaneous Petition has been filed to enlarge the petitioner on bail by suspending the sentence imposed upon him in C.C.No.124 of 2022 on the file of the learned District Munsif cum Judicial Magistrate, Aravakurichi, dated 29.01.2026, which had been confirmed in Criminal Appeal No.29 of 2026 on the file of the learned District and Sessions Judge, Karur, by judgment dated 15.06.2026.

3. Learned counsel for the Revision Petitioner submits that the Revision Petitioner was found guilty for an offences under Sections 279, 337 and 304(A) of IPC and convicted and sentenced vide judgment in C.C.No.124 of 2022, dated 29.01.2026, by the learned



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District Munsif cum Judicial Magistrate, Aravakurichi as follows:

(i) for offence under Section 279 IPC, the petitioner has to pay a fine of Rs.1,000/-, in default, to under go simple imprisonment for a period of one month;

(ii) for offence under Section 337 IPC, the petitioner has to pay a fine of Rs.1,000/-, in default, to under go simple imprisonment for a period of one month; and

(iii) for offence under Section 304(A) IPC, the petitioner has to under go simple imprisonment for a period of one year.

4. Aggrieved, the Revision Petitioner filed Criminal Appeal in Crl.A.No.29 of 2026 before the learned District and Sessions Judge, Karur and the Appellate Court, by the judgment dated 15.06.2026 dismissed the appeal confirming the judgment passed by the Trial Court. Aggrieved, the Revision Petitioner filed Crl.R.C.(MD)No.1391 of 2026 before this Court along with the present petition.

5. When the matter is taken up for consideration, the learned counsel for the Revision Petitioner submits that both the Trial Court and the Lower Appellate Court arrived at their conclusions without appreciating the entire materials placed on record. Hence, the conviction recorded by the Trial Court is legally unsustainable, as the



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findings of both the Courts are based on surmises and conjectures.

He further submits that both the Courts failed to appreciate the contradictions between PW1 and PW2 regarding the nature and alignment of the road. While PW1 stated that the road was curved, PW2 stated that the curve was only beyond the accident spot, thereby creating serious doubt regarding the prosecution version. Further, the Investigation Officer also admitted that there was a curve before the accident spot. This material contradiction regarding the topography of the scene has been completely ignored by both the Courts.

6. Learned counsel for the Revision Petitioner further submits that the Revision Petitioner has raised substantial grounds in the above revision, which require consideration. He further submits that, as the Revision Petitioner has paid the fine amount as directed by the Trial Court, the relief of suspension of sentence and bail may be granted, as failure to do so would cause great hardship to the Revision Petitioner. The Revision Petitioner is ready to comply with all the conditions imposed by this Court.

7. Learned Government Advocate (Criminal Side) appearing for the Respondent has opposed the argument advanced by the learned counsel for the Revision Petitioner and submits that the judgments



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passed by both the Courts are as per law after considering the entire evidence, thus the relief sought by the Revision Petitioner at this stage be refused by this Court.

8. The Revision Petitioner has raised substantial grounds in the Revision which requires detailed appraisal. Further, the Revision is not likely to be taken up in the near future. In such view of the matter, this Court is of the view that the Revision Petitioner is entitled to the relief of suspension of sentence and bail.

9. Accordingly, the relief of suspension of sentence and bail is granted to Revision Petitioner, on the following conditions, till the disposal of above Criminal Revision:

i) The Revision Petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand only) with two sureties each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Aravakurichi.

ii) The Revision Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;



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iii) The Revision Petitioner shall appear and sign before the learned District Munsif cum Judicial Magistrate, Aravakurichi, on the first working day of every month at 10.30 a.m., until the disposal of revision;

iv) In case, the Revision Petitioner is not able to appear before the said Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the said Court on any other day in lieu of the date of his absence, as directed by the said Court.

10. Accordingly, this Criminal Miscellaneous Petition is **ordered.**

17.08.2026

Nsr

To:

- 1.The District and Sessions Judge, Karur,.
- 2.The District Munsif cum Judicial Magistrate, Aravakurichi.
- 3.The Inspector of Police,
Aravakurichi Police Station,
Karur District.
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

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N.GUNASEKARAN, J.

Nsr

Order made in
CrI.M.P.(MD)No.17003 of 2026

17.08.2026