



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
(Criminal Jurisdiction)

Tuesday, the Twenty Eighth day of June Two Thousand Sixteen

PRESENT

The Hon`ble Dr.Justice P.DEVADASS

CRL MP (MD) No.5132 of 2016
IN
CRL RC (MD) No.443 of 2016

SURESH

... PETITIONER/PETITIONER

Vs

THE STATE REP. BY
THE INSPECTOR OF POLICE
PASUPATHYPALAYAM POLICE STATION,
KARUR DISTRICT.
CR. NO.322/2011

... RESPONDENT/RESPONDENT

Petition praying that in the circumstances stated therein and in the petition filed therewith the High Court will be pleased to Suspend the sentence imposed on the petitioner by dismissing appeal by the Fast Track Mahila Court Karur in C.A. No.03/2015 dated 8.12.2015 confirming the conviction and sentence passed by the J.M. No.1 Karur in C.C. No.400 of 2011 dated 25.11.2014 pending disposal of the above Criminal Revision on the file of this Honourable Court.

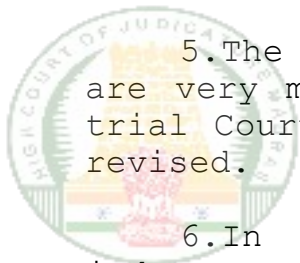
Order : This petition coming on for orders upon perusing the petition filed in support thereof and upon hearing the arguments of M/S A.HAJA MOHIDEEN, Advocate for the petitioner and of Mrs.S.Prabha, Government Advocate (Crl.Side) for the Respondent and the court made the following order:-

The revision petitioner challenges the legality and propriety of the conviction and sentence recorded by the trial Court as well as the appellate Court.

2.The revision petitioner is the accused concerned in a Motor Accident Case in C.C.No.400 of 2011.

3.The learned Judicial Magistrate No.1, Karur convicted the petitioner under Section 304-A I.P.C. and sentenced him to undergo 6 months S.I. and directed to pay a fine of Rs.1,000/- with default sentence.

4.The learned Additional Sessions Judge, Fast Track Mahila Court, Karur confirmed the conviction and sentence and dismissed the Criminal Appeal No.3 of 2015. Fine amount paid.



5.The learned counsel for the petitioner submitted that there are very many legal infirmities in the conviction recorded by the trial Court and by the appellate Court and they are required to be revised.

6.In the facts and circumstances, perusing the impugned judgments and the materials on record, I am of the view that certain eminently arguable points are involved in this Criminal Revision. They are required to be examined in detail at the main criminal revision. It will take some time for the disposal of this Criminal revision. Further, the petitioner was on bail in the trial Court. I see prima facie case. I am inclined to grant revision bail to the petitioner.

7.In view of the above, ordered as under:

(1) Revision bail granted.

(2) Sentence of imprisonment awarded by the learned Judicial Magistrate No.1, Karur in C.C.No.400 of 2011 as confirmed by the learned Additional Sessions Judge, Fast Track Mahila Court, Karur in Crl.A.No.3 of 2015 alone is suspended.

(3) There shall be two sureties, they and the petitioners shall each execute a bond for Rs.10,000/- (Rupees Ten thousand only) to the satisfaction of the learned Judicial Magistrate No.1, Karur.

(4) The petitioner shall appear before the said Court on the first working day of every month at 10.30 a.m. until further orders.

sd/-

28/06/2016

/ TRUE COPY /

Sub-Assistant Registrar (C.S.)

TO

- 1 THE ADDITIONAL SESSIONS JUDGE, FAST TRACK MAHILA COURT, KARUR.
- 2 THE JUDICIAL MAGISTRATE NO.I, KARUR.
- 3 DO THRO' THE CHIEF JUDICIAL MAGISTRATE, KARUR.
- 4 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.
- 5 THE INSPECTOR OF POLICE, PASUPATHYPALAYAM POLICE STATION,
KARUR DISTRICT.

+1. C.C. to M/S A.HAJA MOHIDEEN Advocate SR.No.33977

sj

JM/AAL-MPA/SAR-I/30.06.2016/2P-7C

ORDER

IN

CRL MP(MD) No.5132 of 2016

IN

CRL RC(MD) No.443 of 2016

Date :28/06/2016