



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

Friday, the Twentieth day of January Two Thousand and Twenty Three

PRESENT

The Hon`ble Mr.Justice G.ILANGO VAN

CRL MP(MD) No.1001 of 2023
IN CRL RC.(MD).67 OF 2023

LOGANATHAN

... PETITIONER/PETITIONER/APPELLANT/
SOLE ACCUSED/SOLE ACCUSED

Vs

THE INSPECTOR OF POLICE
TRAFFIC NORTH POLICE STATION,
TRICHY CITY
(CRIME NO.55 OF 2014)

... 1st RESPONDENT/1st RESPONDENT/
1st RESPONDENT/COMPLAINANT/
COMPLAINANT

Petition filed praying that in the circumstances stated therein and in the petition filed therewith the High Court may be pleased to suspend the sentence passed by the II Additional District and Sessions Court, Tiruchirappalli in Crl.A.No.31 of 2018 dated 05.07.2022 confirming the order passed by the Judicial Magistrate No.I, Tiruchirappalli, modifying the judgment in C.C.No.52 of 2014 dated 14.02.2018 and pending disposal of the above Criminal Revision Petition.

Prayer in CRL RC(MD). 67/ 2023 :

To allow the Criminal Revision Petition and call for the records and set aside the impugned order in Crl.A.No.31 of 2018 dated 05.07.2022 on the file of II Additional District and Sessions Court, Tiruchirappalli partly allowed and modified the order passed by the Judicial Magistrate No.I, Tiruchirappalli in C.C.No.52 of 2014 dated 14.02.2018 and set aside the same.

Order : This petition coming up for orders on this day, upon perusing the petition filed in support thereof and upon hearing the arguments of M/S. RAMSUNDARVIJAYARAJ.S, Advocate for the petitioner and of MR.M.SAKTHI KUMAR, Govt. Advocate(CRL Side) for the Respondents the court made the following order:-

This petition is filed to suspend the sentence imposed by the Court of the learned II Additional District and Sessions Judge, Tiruchirappalli, in Crl.A.No.31 of 2018, dated 05.07.2022, in

<https://www.mca.gov.in/india>



confirming the conviction and sentence imposed by the Judicial Magistrate No.I, Tiruchirappalli, in C.C.No.52 of 2014 dated 14.02.2018, pending disposal of the Criminal Revision.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court for the alleged offence under Section 279, 338 and 304(A) of IPC and for the offence under Section 279 of IPC, fine of Rs.500/- in default to undergo 3 months S.I., and for the offence under Section 338 of IPC, fine of Rs.1,000/- in default to undergo 3 months S.I., and for the offence under Section 304(A) of IPC, one year S.I. The appellate Court has modified the order of trial Court and imposed fine of Rs.10,000/-. The fine amount of Rs.10,000/- is paid by the revision petitioner.

3. The learned counsel appearing for the petitioner submitted that the revision case is preferred on the ground that without proper evidence, the trial Court has passed the judgment of conviction and sentence and the same was modified by the appellate Court. There was no evidence to show the rash and negligent driving on the part of the revision petitioner.

4. Considering the submission of the learned counsel for the petitioner, the suspension of sentence petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision and the 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 Judicial Magistrate No.I, Tiruchirappalli, and on further condition that the petitioner shall appear before the concerned Court once in a week i.e., on the first working day of every week at 10.30 a.m. pending revision.

sd/-

20/01/2023

/ TRUE COPY /

20/01/2023

Sub-Assistant Registrar (C.S.)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO

1 THE II ADDITIONAL DISTRICT &
SESSIONS JUDGE, TIRUCHIRAPPALLI.

2 THE JUDICIAL MAGISTRATE,
NO.I, TIRUCHIRAPPALLI.

<https://www.mhc.tn.gov.in/judis>



3 THE CHIEF JUDICIAL MAGISTRATE
TRICHY.

4 THE INSPECTOR OF POLICE
TRAFFIC NORTH POLICE STATION, TRICHY CITY

5 THE ADDITIONAL PUBLIC PROSECUTOR,
MADURAI BENCH OF MADRAS HIGH COURT, MADURAI.

+1 CC to M/s.RAMSUNDARVIJAYRAJ.S, Advocate (SR-905[I] dated
20/01/2023)

ORDER

IN

CRL MP(MD) No.1001 of 2023

IN CRL RC.(MD).67 OF 2023

Date :20/01/2023

TR/SSS(20.01.2023) 3P 7C