



WEB COPY

CRL MP NO. 2448 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 13-02-2025

CORAM

THE HONOURABLE MR JUSTICE P. VELMURUGAN

CRL MP NO. 2448 of 2025 IN

CRL A NO. 176 OF 2025

Srikanth Pari

S/o. Venkatesh, No.2/22, Sri Ram Nagar, 4th Street, Tharamani,
Chennai - 113.

Appellant(s)

Vs

State Of Tamil Nadu Rep.By, The Inspector Of Police,
J-2, Adyar Traffic Police Station, Chennai.

Respondent(s)

For Appellant(s): Mr.P.RAja

For Respondent(s): Mrs.G.V.Kasthuri

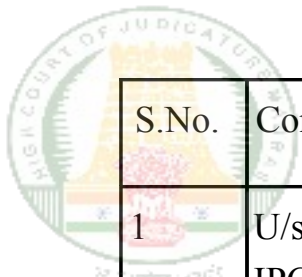
Additional Public Prosecutor

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner/appellant to suspend the sentence imposed upon the petitioner pursuant to the order of conviction dated 05.02.2025, passed in S.C.No.541 of 2023 on the file of the I Additional Sessions Judge at Chennai, enlarge the petitioner on bail pending disposal of the appeal in Crl.A.No.176 of 2025.

2. The petitioner is an accused in S.C.No.541 of 2023 on the file of the I Additional Sessions Judge at Chennai. The learned Special judge, on conclusion of trial, found the petitioner guilty for the offence under Sections 279, 338 (2counts), 304 (ii) of IPC and Section 185 of

M.V.Act and convicted and sentenced as under;



WEB COPY



S.No.	Conviction	Sentence
1	U/s. 279 of IPC	to pay fine amount of Rs.1,000/- in default, to undergo three months simple imprisonment
2	U/s. 338 (2 counts) of IPC	to undergo two years of rigorous imprisonment and fine amount of Rs.1,000/- for each count (Rs.1000/- x 2, in total Rs.2,000/-) in default, to undergo six months simple imprisonment
3	U/s. 304(ii) IPC	to undergo five years rigorous imprisonment and fine amount of Rs.10,000/- in default, to undergo six months simple imprisonment
4	U/s. 185 of M.V. Act	to pay fine amount of Rs.2000/- in default to undergo three months simple imprisonment.

3. Challenging the said Judgment of conviction and sentence, the petitioner has preferred the above appeal in CrI.A.No.716 of 2025 and pending appeal, the petitioner has filed the present petition to suspend the sentence imposed on the petitioner, by the Court below as stated above.

4. The case of the prosecution is that the petitioner/accused drove the car Hyundai Verna bearing Regn. No.TN-73-7572 belongs to his father, in a drunken state, knowing fully well that driving the car in a drunken state would cause hazard to public, in a rash and negligent manner and dashed against a TATA ACE Van bearing Regn. No.TN-14-A6594 due to which,

the van overturned and dashed against a tree in the centre median of the road and fell upside



down and went in the same speed and climbed the centre median of the road and ended in the middle of the road, due to which, one Baskar who travelled in the said TATA ACE van died on the spot and that, one Mohan and Dhanasekar who travelled in the said van, sustained grievous injuries.

WEB COPY

5. The learned counsel for the petitioner/appellant would submit that there are arguable points available in the appeal and that the petitioner has got a fair chance of succeeding in the appeal and would pray that the substantive sentence imposed against the petitioner/appellant may be suspended. He would also submit that the fine amount has been paid.
6. The learned Additional Public Prosecutor appearing for the respondent police objected to suspend the sentences.
7. Heard both sides and perused the materials available on records.
8. Considering the submissions of either side, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions.
9. Accordingly, the substantive sentence of imprisonment alone is suspended till the disposal of the above appeal, subject to the following conditions:

- a. The petitioner is ordered 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 I Additional

Sessions Judge, Chennai



b. The petitioner/accused and the sureties shall affix their photographs and left thumb impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhaar Cards or Bank Pass Books to ensure their identities.

c. The petitioner shall appear before the trial Court on the first working day of every English Calendar month at 10.30 a.m., till the disposal of the appeal and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

10. With the above directions, this Criminal Miscellaneous Petition is ordered.

13-02-2025

(1/2)

ksa-2

Note: Issue Order Copy on 13.02.2025.



To

1. The Additional Sessions Judge at Chennai,
2. The Inspector Of Police,
J-2, Adyar Traffic Police Station,
Chennai.
3. The Public Prosecutor, High Court of Madras
4. The Superintendent of Central Prison
Puzhal, Chennai



WEB COPY

P.VELMURUGAN



KSa-Z

CRL MP NO. 2448 of 2025 IN

CRL A NO. 176 OF 2025

13.02.2025

(1/2)