



Crl.R.C.No.698 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

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DATED: 26.06.2025

CORAM:

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

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Ranjit Kumar

... Petitioner

Vs

1. The State Represented by
The Inspector of Police,
TIW-East,
Coimbatore.
(Crime No.821 of 2017)

2. Harish

3. S.Krishnaveni

(R2 and R3 impleaded as per
order dated 26.06.2025
in Crl.M.P.No.12334 of 2025
in Crl.R.C.No.698 of 2025)

... Respondents

PRAYER: Criminal Revision Case is filed under Section 438 read with Section 442 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to set aside the judgment of the learned I Additional District and Sessions Judge, Coimbatore in C.A.No.150 of 2022 dated 06.03.2025, confirming the judgment of the learned Judicial Magistrate No.VIII, Coimbatore in C.C.No.139 of 2018 dated 22.11.2022 by allowing this criminal revision petition.

For Petitioner : Mr.V.Karthik, Senior Counsel



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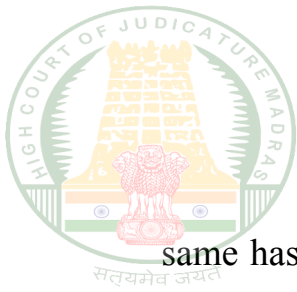
For R1 : for Mr.N.Ponraj
: Mr.S.Raja Kumar
Government Advocate (Crl.side)
For R2 and R3 : Mr.C.P.Prem Anand

ORDER

This Criminal Revision has been filed as against the judgment passed in C.A.No.150 of 2022 dated 06.03.2025 of the I Additional District and Sessions Judge, Coimbatore, thereby confirming the judgment of the learned Judicial Magistrate No.VIII, Coimbatore in C.C.No.139 of 2018 dated 22.11.2022, thereby convicting the petitioner for the offences punishable under Sections 279 and 304A of IPC.

2. The case of the prosecution is that on 19.12.2017, the petitioner was travelling on his bike bearing Registration No.TN 59 AK 9279 from West to East in Avinashi Road, near Varadaraja Mill bus stop in a rash and negligent manner and hit the deceased who was crossing Avinashi road from North to South at central median. Therefore, the deceased sustained injuries and died. Hence, the complaint.

3. On receipt of the complaint, the respondent registered FIR in Crime No.821 of 2017 and after completion of investigation, filed a final report and the



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same has been taken cognizance by the Trial Court for the offences punishable under Sections 279 and 304A of IPC in C.C.No.139 of 2018.

4. In order to bring home the charges, the prosecution had examined PWs.1 to 4 and marked Exs.P1 to 9. On the side of the accused, no one was examined and no document was marked. On perusal of oral and documentary evidences, the Trial Court found the petitioner guilty for the offences punishable under Sections 279 and 304A of IPC and sentenced to undergo one year simple imprisonment and to pay a fine of Rs.5000/-, in default to undergo simple imprisonment for a period of two weeks for the offence punishable under Section 304A IPC and imposed fine of Rs.1000/- in default to undergo two weeks simple imprisonment for the offence punishable under Section 279 of IPC. Aggrieved by the same, the petitioner preferred an appeal and the same was dismissed, confirming the conviction and sentence imposed by the Trial Court. Hence, this Revision.

5. The learned Senior Counsel appearing for the petitioner would submit that in fact after filing the claim petition in MCOP.No.1891 of 2018, on the file of the V Additional District Judge, Coimbatore, the petitioner had



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settled the amount of a sum of Rs.6 Lakhs to the deceased family and as such, the claim petition was withdrawn. Pending this revision, the petitioner is willing to settle some more amount to the tune of Rs.4 Lakhs in favour of the deceased family. Therefore, this Court directed to implead the legal heirs of the deceased.

6. Accordingly, the legal heirs of the deceased are impleaded as respondents 2 and 3. Today, the respondents 2 and 3 are present before this Court. They also have no objections to set aside the punishment on receipt of further amount of Rs.4 Lakhs from the petitioner. Today, the family member of the petitioner paid a sum of Rs.4 Lakhs and the same was also duly received and acknowledged by the respondents 2 and 3.

7. In view of the above, the Judgment passed by the appellate Court, thereby confirming the order passed by the Trial Court cannot be sustained and are liable to be set aside. Accordingly, the judgment passed in C.A.No.150 of 2022 dated 06.03.2025 of the learned I Additional District and Sessions Judge, Coimbatore, thereby confirming the judgment of the learned Judicial Magistrate No.VIII, Coimbatore in C.C.No.139 of 2018 dated 22.11.2022, are hereby set aside. The petitioner is acquitted of all the charges. The fine amount, if any, paid by the petitioner shall be refunded to him. The bail bond, if any, executed



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by the petitioner shall stand cancelled.

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8. Accordingly, the Criminal Revision Case stands allowed.

26.06.2025
(2/2)

Internet: Yes
Index: Yes/No
Speaking/Non speaking order
mn

Note: Issue order copy on 26.06.2025



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G.K.ILANTHIRAIYAN. J.

mn

To

1. The I Additional District and Sessions Judge, Coimbatore.
2. The Judicial Magistrate No.VIII, Coimbatore.
3. The Inspector of Police,
TIW-East,
Coimbatore.
4. The Public Prosecutor,
High Court, Madras.

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