



*Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025*

WEB COPY

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **21-01-2025**

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

CRL MP NO. 204 of 2025

IN

CRL RC NO. 33 OF 2025

P.Kalyanasundaram
S/o.Perumal, Gudikadu, Chozhatharam (p.O.)
Kattumannarkoil (t.K.) Cuddalore District.

Petitioner (s)

Vs

State Rep By
Inspector Of Police, Puthur Police Station, Puthur,
Cuddalore District. Cr.No. 64 Of 2015.

Respondent(s)

For Appellant(s):

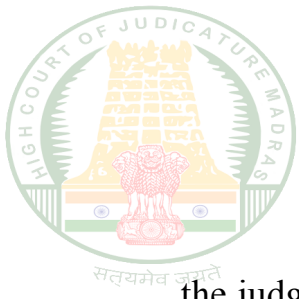
Mr.B.Ramprabu

For Respondent(s):

Mr.S.Udayakumar,
Govt Advocate (Crl. Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by the learned II Additional District Court at Chidambaram dated 20.08.2024 made in Crl.A.No.04 of 2024 confirming

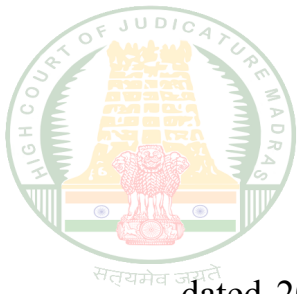


*Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025*

the judgment in S.T.C.No.331 of 2015 dated 29.12.2023 on the file of District Munsif cum Judicial Magistrate, Kattumannarkoil, till the disposal of the above criminal revision and enlarge the petitioner on bail.

2.The case of the prosecution is that the petitioner is the driver of the bus bearing Registration No.TN-32-N-2530; that on 28.08.2015, he drove the bus in a rash and negligent manner and caused injury to two witnesses, who were waiting at the bus stop.

3.The petitioner/Accused in S.T.C.No.331 of 2015 was convicted by the Trial Court by judgment dated 29.12.2023 for the offences under Sections 279, 337 and 338 of I.P.C. and sentenced to undergo three months rigorous imprisonment for offence under Section 279 of I.P.C., sentenced to undergo three months rigorous imprisonment for offence under Section 337 of I.P.C. and sentenced to undergo three months rigorous imprisonment for offence under Section 338 of I.P.C. and awarded compensation of Rs.3,000/- to PW2 and Rs.2,000/- to PW3., Aggrieved by the same, the petitioner preferred an appeal in Crl.A.No.04 of 2024 before the learned II Additional District and Sessions Judge, Chidambaram. The learned Sessions Judge, by a judgment



*Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025*

WEB COPY

dated 20.08.2024, dismissed the appeal confirming the conviction passed by the trial Court, against which, he filed a revision in Crl.R.C.No.33 of 2025 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

4.The learned counsel for the petitioner would submit that the evidence on the side of the prosecution would show that the petitioner was not guilty of rash and negligent driving; that the accident took place only due to the negligence of the victims, who had crossed the road suddenly and that since there are several arguable points in the above revision, which requires consideration, prayed for granting suspension of sentence to the petitioner.

5.Heard the learned Government Advocate (Crl. Side) appearing for the respondent police.

6.Considering the fact that the petitioner has raised several arguable points in the revision, which requires consideration and the period of sentence imposed by the Courts below, this Court is inclined to grant the relief of suspension of sentence to the petitioner.



*Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025*

WEB COPY

7. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above Criminal Revision and the petitioner is ordered to be released on bail on the following conditions:

- (i) The petitioner shall execute a bond each for a sum of Rs.10,000/- with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Kattumannarkoil;
- (ii) The petitioner and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity; and
- (iii) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision 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.

**21.01.2025
(2/2)**

rsi



*Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025*

WEB COPY

To

- 1.The II Additional District and Sessions Judge,
Chidambaram.
- 2.The District Munsif cum Judicial Magistrate,
Kattumannarkoil.
- 3.The Inspector Of Police,
Puthur Police Station,
Puthur, Cuddalore District.
- 4.The Public Prosecutor,
High Court, Madras.



WEB COPY



Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025

SUNDER MOHAN, J.

rsi

Crl.M.P.No.204 of 2025
in Crl.R.C.No.33 of 2025

21.01.2025
(2/2)