



Suo Motu TR.No. 449 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

WEB COPY

DATED: 08.09.2025

CORAM:

THE HONOURABLE MR. JUSTICE **D.BHARATHA CHAKRAVARTHY**

Suo Motu TR.No.449 of 2025

(CRLA.16/2024 of District and Session Judge, Salem)

The State rep. by  
The Sub Inspector of Police,  
Karumalaikoodal Police Station,  
Mettur Taluk, Salem.

... Petitioner

Vs.

Suresh

.... Respondent

For Petitioner : Mr.S.Vinoth Kumar  
Government Advocate (Crl.Side)

**ORDER**

This Sua Motu Case is dealt with in an extraordinary manner by the Dedicated Bench, pursuant to Sua Motu.W.P.(Crl.) No.618 of 2025.

2. This Criminal Appeal arises out of the judgment of the Judicial Magistrate No. II, Mettur dated 29.12.2023. By the said judgment, the accused was convicted for the offences under Sections 279 and 304(A) of Indian Penal Code, 1860 and was sentenced to imprisonment and payment of fine.



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WEB C304(A)

3. This is an accident case, complaining of an offence under Section 304(A) of Indian Penal Code, 1860. Reference can be made to the detailed order passed by this Court dated 01.09.2025 in Suo Motu CrI.No.618 of 2025.

4. In that view of the matter, the following was considered:

- (i) The accident was not due to any aggravated or egregious conduct.
- (ii) The victim has received compensation.
- (iii) The accused has no previous or subsequent case and a due report from the probationary officer regarding his conduct has already been received.
- (iv) The accused has also been facing the case all these years.

5. While maintaining the conviction imposed by the trial Court, without proceeding further to sentence the accused, the accused is released on probation under Section 4 of the Probation of Offenders Act, 1958, on the following conditions:-

- (a) The accused shall execute a bond before the learned Magistrate undertaking good conduct for a period of one year, failing which he shall appear before this Court to receive sentence.



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(b) It is made clear that, as per Section 12 of the Probation of Offenders Act, 1958, the finding of guilty will not be a disqualification for any purpose.

6. Accordingly, the case in CrI.A.No.16 of 2024 on the file of the District and Session Judge, Salem shall stands partly allowed and consequently, this Sua Motu Transfer Case is disposed of.

08.09.2025

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**Note to the Trial Court:** This order is digitally signed and communicated electronically alone. The Trial Court shall take note of the order and accordingly classify the case pending before them as allowed / dismissed / disposed of, etc, and while doing so, consider any applications such as disposal of properties, etc., and pass appropriate orders, as may be necessary. Further, the Court below is directed to dispatch the copy of this order to all concerned.



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**D.BHARATHA CHAKRAVARTHY, J.**

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