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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: **09.10.2025**

CORAM:

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

Suo Motu TR.No.12433 of 2025

(C.C.No.293 of 2022 of District Munsif cum Judicial Magistrate, Denkanikottai Taluk, Krishnagiri.)

State Represented by
The Inspector of Police,
Kelamangalam Police Station,
Krishnagiri District. ... Petitioner

-vs-

Sankar ... Respondent

For Petitioner : Mrs.G.V.Kasthuri,
Additional Public Prosecutor

ORDER

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

2. This is an accident case, complaining of an offence under Section 279, 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 Crl.No.618 of 2025.

3. 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.

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D.BHARATHA CHAKRAVARTHY, J.

rna

4. In view thereof, I find that this is a fit case where the provisions of the Probation of Offenders Act, 1958, can be invoked. Accordingly, upon the plea of the accused, the accused is found guilty of the offence under **Sections 279 and 304(A) of Indian Penal Code, 1860.** However, without proceeding to sentence the accused, this Court releases the petitioner on probation under 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.
>
> (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.

5. Accordingly, the case in ***C.C.No.293 of 2022 on the file of the District Munsif cum Judicial Magistrate, Denkanikottai Taluk, Krishnagiri*** shall stands disposed of and consequently, this Suo Motu Transfer Case is disposed of.

09.10.2025

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NOTE: 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.

Suo Motu TR.No.12433 of 2025

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