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Suo Motu TR.No.14144 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

CORAM:

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

Suo Motu TR.No.14144 of 2025
(C.C.No.164 of 2024 of District Munsif cum Judicial Magistrate Court,
Kilvelur, Kilvelur Taluk, Nagapattinam)

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

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 is an accident case, complaining of an offences under Section 279 and 304-A of the Indian Penal Code, 1860. Reference can be made to the detailed order passed by this Court dated 01.09.2025 in W.P. (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 Claim Petition is not filed since the de facto complainant is not aware of the procedure. In this regard, the petitioner Police is directed to serve a set of papers to the de facto complainant and the de facto complainant can even avail the services of the Legal Services Authority for free legal aid also

(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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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 accused 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.164 of 2024 of District Munsif cum Judicial Magistrate Court, Kilvelur, Kilvelur Taluk, Nagapattinam stands disposed of. This Sua Motu Transfer Case is disposed of. It is made clear that this order will not in any manner affect the further proceedings if any Claim Petition is filed.

09.10.2025

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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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