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Suo Motu TR.No.16827 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 29.10.2025

CORAM:

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

Suo Motu TR.No.16827 of 2025

(C.C.No.100370 of 2016 of Judicial Magistrate, Mettupalayam, Mettupalayam Taluk, Coimbatore)

For Petitioner : Mr.S.Sugendran
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 offence under Sections 279 and 304-A 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 is not gruesome.

(ii) The de facto complainant is not traceable. It is not known whether any Claim Petition is filed or not.

(iii) There is no previous or subsequent case against the accused and the report of the Probationary Officer is also likely to be obtained.

(iv) Enquiry is proceeding on.

(v) The accused has also been facing the case all these years.



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D.BHARATHA CHAKRAVARTHY, J.

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4. In view thereof, since it is submitted that the report of the Probationary Officer will be obtained in a few days, in an extraordinary circumstance, where, the Dedicated Bench is closing first batch of cases, this case is treated as an extraordinary case where the provisions of the Probation of Offenders Act, 1958, can be invoked to release the accused on probation. 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 Probationary Officer's report shall also be produced before the learned Magistrate and upon production of the same, the accused shall be released on probation.

(b) 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.

(c) 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.100370 of 2016 of Judicial Magistrate, Mettupalayam, Mettupalayam Taluk, Coimbatore, 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 even if any Claim Petition is filed.

29.10.2025

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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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