



WEB COPY



Crl.M.P.No.18058 of 2025
in Crl.RC.No.1831 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 17.12.2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.18058 of 2025

in

Crl.RC.No.1831 of 2025

Poomugilan

... Petitioner /Appellant

Vs.

State rep by
The Inspector of Police,
Kunnathur Police Station,
Tiruppur District.
(Crime No.357/2016)

... Respondent / Complainant

PRAYER: Criminal Miscellaneous Petition has been filed under Section 397 (1) r/w 439 Cr.P.C. praying to suspend the sentence of imprisonment imposed in the judgment in Crl.A.No.182 of 2022 on the file of the Additional District and Sessions Judge No.I, Tiruppur dated 25.07.2025 by confirming the conviction and sentence passed in judgment dated 24.11.2022 made in C.C.No.167 of 2019 on the file of the District Munsif Cum Judicial Magistrate, Uthukuli, Tiruppur.

For Petitioner : Mr.M.Mohamed Riyaz

For Respondent : Mr.Dr.C.E.Pratap
Government Advocate (Crl.Side)



CrI.M.P.No.18058 of 2025
in CrI.RC.No.1831 of 2025

raised substantial grounds in the above revision to set aside the impugned judgment and prayed for suspension of sentence.

4.The learned Government Advocate (CrI.Side) opposed granting of suspension of sentence by stating that both eye witnesses have been believed by the Trial Court; that PW5 had travelled in the vehicle, in which, the deceased travelled and that there is no infirmity in the judgment of the Courts below.

5.Considering the submissions made by the learned counsel on either side and on perusal of the records and evidences of the eye witnesses, this Court is of the view that the petitioner has raised substantial grounds in the revision and has made out a *prima facie* case for suspension of sentence. Hence, this Court is inclined to suspend the sentence imposed on the petitioner.

6. 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 for a sum of Rs.10,000/-, with



WEB COPY



CrI.M.P.No.18058 of 2025
in CrI.RC.No.1831 of 2025

two sureties, each for a like sum to the satisfaction of the learned
Judicial Magistrate, Uthukuli;

(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 appeal 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.

17.12.2025

sli



WEB COPY



CrI.M.P.No.18058 of 2025
in CrI.RC.No.1831 of 2025

To

1. The Judicial Magistrate, Uthukuli.
2. The Central Prison, Coimbatore.
3. The Inspector of Police,
Kunnathur Police Station,
Tiruppur District.
(Crime No.357/2016)
4. The Public Prosecutor,
High Court, Madras.
5. The Additional District and Sessions Judge No.I, Tiruppur.
6. The District Munsif Cum Judicial Magistrate,
Uthukuli, Tiruppur.



WEB COPY



Crl.M.P.No.18058 of 2025
in Crl.RC.No.1831 of 2025

SUNDER MOHAN, J.

sli

**Crl.M.P.No.18058 of 2025
in
Crl.A.No.1831 of 2025**

17.12.2025