



Suo Motu TR.(MD).No. 12412 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

WEB COPY

DATE : 15.10.2025

CORAM

THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.12412 of 2025

(C.C.No.497 of 2019 on the file of the Judicial Magistrate Court,
Paramakudi Taluk, Ramanthapuram District)

The Inspector of Police,
Paramakudi Town Police Station,
Ramanthapuram District.
(Crime No.127 of 2019)

... Petitioner

Vs.

Kesavan

... Respondent

Upon perusing the documents and case records of the above **C.C.No.497 of 2019** transmitted to this Court and hearing the arguments of **Mr.S.Ravi, learned Additional Public Prosecutor**, on behalf of the State and *hearing the jurisdiction probation officer* this Court passes the following



3. Brief facts of the prosecution case in C.C.No.497 of 2019:

WEB COPY

On 23.04.2019 at about 14.45 hours, a vehicle driven by the accused caused an accident, resulting in the death of one person. Therefore, a case was registered in **Crime No.127 of 2019** for the offence punishable under Sections 279 and 304(A) of IPC and upon completion of investigation, final report filed and the same was taken on file in **C.C.No.497 of 2019** and the same was pending without trial for more than six years.

4. Discussion:

4.1 Today, the learned Judicial Magistrate has appeared through video conference. The accused and the police official were present before the learned Judicial Magistrate Court. The accused has filed an admission petition and pleaded guilty and seeks leniency in imposing punishment.

4.2. This Court explains the contents of the accusation to the accused, and he admits the contents of the admission petition and pleads guilty. Thus, this court satisfies the admission petition filed without any coercion or threat.



Suo Motu TR.(MD).No. 12412 of 2025

4.3. In view of the above admission and pleading of guilty of the accused, and considering the material allegation made in the final report did not relate to the economic and heinous offence and his conduct is good and the case is pending for more than **six years** without trial and the same impinge the fair and speedy trial as envisaged under Article 21 of the Constitution of India, this Court is inclined to admit the petition and convict the accused for the offence under **Sections 279 and 304(A) of IPC.**

5. Discussion on the question of sentence:-

5.1. Hon'ble Thiru. Justice D. Bharatha Chakravarthy has considered number of Hon'ble Supreme Court Judgments and passed order in suo moto W.P.(MD) No. 618 of 2025 on 01.09.2025 and framed sentencing policy with reference to the offence under Sections 279 and 304(A) IPC. This case also comes under said parameter *as the accident is not due to any aggravated or egregious conduct.*

5.2. **The accused is aged about 67 years** and he has not involved in further offence and considering the mitigating circumstances, and following the law laid down by the Hon'ble Supreme Court in the case of



Suo Motu TR.(MD).No. 12412 of 2025

Sunita Devi Vs. State of Bihar and another reported in 2014 SCC Online

SC 984, 2025 INSC 1014 (K.Ponnammal Vs. State) and also on the

reiterated the principle of the Hon'ble Supreme Court in the cases of

M.W.Mohiuddin V. State of Maharashtra reported in (1995) 3 SCC 567

and B.G.Goswarmi V. Delhi Administration reported in (1974) 3 SCC 85

that delay itself amounts to punishment, which must weigh in sentencing

and disposal, this court is inclined to impose fine **of Rs.10,000/- (Rupees**

Ten Thousand only) with default sentence of two months simple

imprisonment. Considering the fact that the Investigating Agency is

unable to disclose whether the victim has received compensation or

not, this Court is inclined to accept the guilt of the accused. The

learned Tribunal Judge is directed to dispose of the case, if any filed,

by considering the aspect of negligence and the evidence available,

and pass appropriate orders.

6. Accordingly, this **Suo Motu Special Tr.(MD).** case stands closed on the following terms:

6.1. The accused is convicted for the offence under **Sections 279 and 304(A) of IPC** in **C.C.No.497 of 2019** on the file of the learned **Judicial Magistrate Court, Paramakudi Taluk, Ramanthapuram**



Suo Motu TR.(MD).No. 12412 of 2025

District.

WEB COPY

6.2. The accused is directed to pay a fine of **Rs.10,000/- (Rupees Ten Thousand only)** before the learned **Judicial Magistrate Court, Paramakudi Taluk, Ramanthapuram District**, and in default, he is directed to undergo two months simple imprisonment.

15.10.2025

pal

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.



WEB COPY



Suo Motu TR.(MD).No. 12412 of 2025

K.K.RAMAKRISHNAN,J.

pal

Order made in
SUO MOTU TR.(MD).No.12412 of 2025

15.10.2025