



Suo Motu TR.(MD).No. 13947 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATE : 22.09.2025

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THE HONOURABLE MR.JUSTICE K.K.RAMAKRISHNAN

Suo Motu TR.(MD).No.13947 of 2025

(C.C.No.103 of 2020 on the file of the Judicial Magistrate No.II, Sattur,
Virudhunagar District)

The Inspector of Police,
Sattur Taluk Police Station,
Virudhunagar District.

... Petitioner

Vs.

Kumaresan

... Respondent

Upon perusing the documents and case records of the above **C.C.No.103 of 2020** 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

ORDER

Prelude:

“This dedicated bench is for implementing the pilot project to identify and dispose of criminal cases involving offences punishable with imprisonment up to 3 years pending at trial, appeal or revision stage for



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more than 3 years and also offences like Section 506(ii) of IPC and others, which may carry a punishment of more than 3 years in the state of Tamil Nadu with reference to the 14 Districts coming under the Madurai Bench of Madras High Court”.

2. This Dedicated Bench has taken the **C.C.No.103 of 2020** on the file of the learned **Judicial Magistrate No.II, Sattur, Virudhunagar District** as ***Suo motu* Special Tr.Case.(MD) No.13947 of 2025** in **Suo Motu W.P.(Crl.).(MD).No.1014 of 2025**, upon proper scrutiny and suitability as a fit case warranting the exercise of power under Article 226 of Constitution of India to pass suitable order in the said C.C., pending more than five years without any precedent value in this pilot project.

3. Brief facts of the prosecution case in C.C.No.103 of 2020:

On 06.06.2020 at 12.00 noon, a vehicle driven by the accused caused an accident, resulting in the death of one person. Therefore, a case was registered in **Crime No.230 of 2020** and upon completion of investigation, final report filed and the same was taken on file in **C.C.No. 103 of 2020** and the same was pending without trial for more than **five years**.



4. Discussion:

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4.1 Today, the learned Judicial Magistrate No.II has appeared through video conference. The accused and the police official were present before the learned Judicial Magistrate No.II 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.

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 **five 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.**



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5. Discussion on the question of sentence:-

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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 section 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 38 years, and having one child and he is working as Junior Assistant in the Government Aided College. Considering the factual matrix, the background of the accident and also the plea of the accused, I am of the view that while finding the accused guilty of the offence, instead of sentencing him, this is a fit case for releasing him under the Probation of Offenders Act, 1958. The report of the Probation Officer is also received. Accordingly, the accused is released on probation on the following conditions:

(i) The accused shall execute a bond before the trial Court undertaking good behaviour for a period of one year.

(ii) It is made clear that as per Section 12 of the Probation of Offenders Act, 1958, the finding of guilt will not be a disqualification for



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any purpose.

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6. Accordingly, the proceedings in C.C.No.103 of 2020 on the file of the Judicial Magistrate No.II, Sattur, Virudhunagar District stands disposed of and consequently, this Sua Motu Transfer Case is disposed of. Further, this Court directs the accused to pay a sum of Rs.20,000/- to the injured and Rs.10,000/- to other person.

22.09.2025

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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.

K.K.RAMAKRISHNAN,J.

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Order made in
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