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CRL MP(MD) NO. 14826 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 17-10-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CRL MP(MD) No. 14826 of 2025

in

Crl.R.C.(MD) No.946 of 2025

G.Ramesh

S/o.Gurusamy, No.47, Poonga Nagar, Irugur,,
Coimbatore 641103.

Petitioner(s)

Vs

The State of Tamilnadu

Rep by The Inspector of Police, K.Paramathi Police Station,
Karur District. Crime No.183/2015.

Respondent(s)

Prayer:

To relax the condition No.(iii) imposed by this Court in Crl MP.(MD). No.11323 of 2025 in Crl RC.(MD). No.946 of 2025 vide its order dated 25.08.2025 on the file of this Court.

For Petitioner(s): Ms.Saphna for Mr.Ajoy Khose.V.

For Respondent(s): Mr.A.S.Abul Kalam Azad
Government Advocate

ORDER

This Criminal Miscellaneous Petition has been filed to relax the condition imposed upon the petitioner in Crl.M.P.(MD) No.11323 of 2025 in Crl.R.C.(MD) No.946 of 2025, dated 25.08.2025.

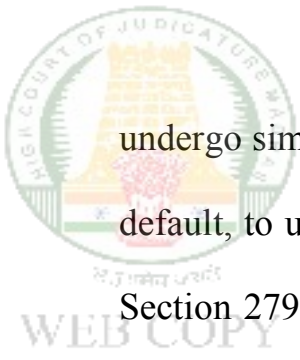


2. Heard Ms.Saphna, learned counsel representing Mr.V.Ajoy Khose, learned counsel for the petitioner and Mr.A.S.Abul Kalam Azad, learned Government Advocate for the respondent.

3. The short facts of the case, which led to filing of the Criminal Revision Case bearing CrI.R.C.(MD) No.946 of 2025, are as follows:-

i) On 28.10.2015, at about 09.50 a.m., when the complainant, namely, Ananthakumar, was going to his work near Krishna Playwood in a vehicle, (Tata Indico Car) bearing Registration No.TN 66 F 8525, the petitioner drove a Government Bus bearing Registration No.TN 38 N 2729 from West to East direction in a rash, negligent manner and dashed against the said Car and caused accident. Further, one Sakthivel, who drove the Car, died on the spot and the complainant sustained grievous injuries and the witness P.W.10, Banumathi, who travelled in the Government bus, sustained simple injury. Hence, an FIR came to be registered in Crime No.183 of 2015 by the respondent Police for the offence under Sections 279, 337 and 304(A) IPC. The respondent police, after completing the investigation, had filed the final report against the petitioner for the offence under Sections 279, 337, 338 and 304(A) IPC and the case was taken on file in C.C.No.74 of 2019 by the learned District Munsif cum Judicial Magistrate, Aravakurichi.

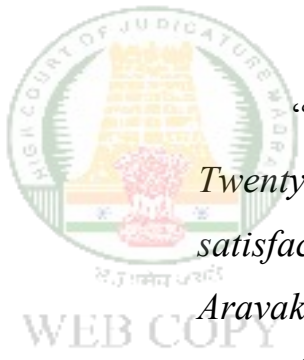
ii) The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment in C.C.No.74 of 2019, dated 22.02.2023, convicting the petitioner and sentencing him to



undergo simple imprisonment for a period of six months and to pay a fine of Rs.1,000/- in default, to undergo simple imprisonment for a period of one month for the offence under Section 279 of IPC, further sentencing him to undergo simple imprisonment for a period of three months and to pay a fine of Rs.500/- in default, to undergo simple imprisonment for a period of two weeks for the offence under Section 337 of IPC, further sentencing him to undergo simple imprisonment for a period of one year and to pay a fine of Rs.1,000/- in default, to undergo simple imprisonment for a period of one month for the offence under Section 338 of IPC and also sentencing him to undergo simple imprisonment for a period of one year and to pay a fine of Rs.2,000/- in default, to undergo simple imprisonment for a period of two months for the offence under Section 304(A) of IPC.

iii) Challenging the above said conviction and sentence, the petitioner has filed an appeal in CrI.A.No.42 of 2023 on the file of the Principal District Court, Karur, and the learned Principal District Judge, Karur, by confirming the conviction and sentence, dismissed the appeal. Challenging the same, the petitioner has preferred the Criminal Revision Case bearing CrI.R.C.(MD) No.946 of 2025 along with a Miscellaneous Petition bearing CrI.M.P.No.9970 of 2025 seeking suspension of sentence.

4.The Co-ordinate Bench of this Court, while admitting the Criminal Revision Case, vide order dated 29.07.2025, had ordered suspension of sentence in CrI.M.P.(MD) No.9970 of 2025 in CrI.R.C.(MD) No.946 of 2025, with the following directions:-



“(i) The petitioner shall execute a bond for a sum of Rs.25,000/- (Ru. Twenty Five Thousand only) with two sureties, each for a like sum to the satisfaction of the learned District Munsif cum Judicial Magistrate, Aravakurichi ;

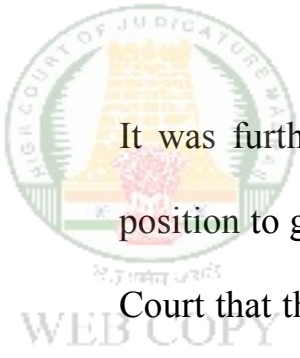
(ii) The sureties shall affix their photographs and Left Thumb Impression in the surety bond and the trial Court may obtain a copy of their Aadhar card or Bank Pass Book to ensure their identity; and

(iii) The petitioner shall appear before the learned District Munsif cum Judicial Magistrate, Aravakurichi, daily at 10.30 a.m., until further orders.”

5. Thereafter, the Co-ordinate Bench of this Court, vide order dated 25.08.2025, in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No.946 of 2025, had modified the condition No.(iii) of the order made in CrI.M.P.(MD) No.9970 of 2025 in CrI.R.C.(MD) No.946 of 2025, imposed upon the petitioner as follows:-

“The petitioner is directed to appear before the learned Judicial Magistrate No.VIII, Coimbatore, daily at 10.30 a.m., until further orders.”

6. Today, when the matter is being taken up, Ms.Saphna, learned counsel representing Mr.V.Ajoy Khose, learned counsel for the petitioner submits that the petitioner has been complying with the conditions imposed in CrI.M.P.(MD) No.9970 of 2025 in CrI.R.C.(MD) No.946 of 2025, dated 29.07.2025 without fail and is regularly appearing before the learned Judicial Magistrate No.VIII, Coimbatore, as per the order dated 25.08.2025, in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No.946 of 2025.



It was further submitted that due to the aforesaid condition, the petitioner is not in a position to go to the work regularly. Thus, the learned counsel for the petitioner prays this Court that the condition imposed on the petitioner, vide order dated 25.08.2025 passed in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No.946 of 2025, may be relaxed and the petitioner may be directed to appear before the learned Judicial Magistrate No.VIII, Coimbatore, once in a month.

7.Mr.A.S.Abul Kalam Azad, learned Government Advocate for the respondent submits that the petitioner has been complying with the conditions imposed in CrI.M.P. (MD) No.9970 of 2025 in CrI.R.C.(MD) No.946 of 2025, dated 29.07.2025 and is regularly appearing before the learned Judicial Magistrate No.VIII, Coimbatore, as per the order dated 25.08.2025, in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No.946 of 2025. However, he submits that the condition imposed in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No.946 of 2025, dated 25.08.2025, is justified and made objection for relaxing the same.

8.Accordingly, after considering the arguments as advanced by the learned counsel for the parties and after perusal of the order passed by the Co-ordinate Bench of this Court in CrI.M.P.(MD) No.9970 of 2025 in CrI.R.C.(MD) No.946 of 2025, dated 29.07.2025 and in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No.946 of 2025,



dated 25.08.2025 and after perusal of the affidavit filed by the petitioner in support of the petition, this Court is inclined to relax the condition imposed upon the petitioner vide order dated 25.08.2025 passed in CrI.M.P.(MD) No.11323 of 2025 in CrI.R.C.(MD) No. 946 of 2025 as follows:-

“The petitioner shall appear before the learned Judicial Magistrate No.VIII, Coimbatore, once in a month commencing from November, 2025., ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

Rest of the conditions imposed in CrI.M.P.(MD) No.9970 of 2025 in CrI.R.C.(MD) No.946 of 2025, dated 29.07.2025 are unaltered.

9.With the above modification, this Criminal Miscellaneous Petition is finally disposed of.

17-10-2025

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To
The Inspector of Police,
K.Paramathi Police Station,
Karur District.



WEB COPY



SHAMIM AHMED, J.

mm

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