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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-03-2026

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THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

CRL MP Nos.4414 & 4416 of 2026

in

CRL RC No.579 of 2026

Thangavel

Petitioner(s) in both
petitions

Vs

State by
The Inspector of Police,
Sulur Police Station,
Coimbatore District.
Crime No.562 of 2000

Respondent in both
petitions

PRAYER in CRL MP No. 4414 of 2026: This Criminal Miscellaneous Petition filed under Section 389(1) of Cr.P.C/430 of BNSS, to suspend the sentence of imprisonment imposed on the petitioner in the Judgement dated 04.08.2025 in Crl. Appeal No.82 of 2020 on the file of the V Additional District and Sessions Judge, Coimbatore confirming the trial Court Judgement dated 19.12.2019 in S.T.C.No.467 of 2018 on the file of the Judicial Magistrate, Sulur, Coimbatore, and enlarge the petitioner on Bail pending disposal of the above Criminal Revision before this Court.

PRAYER in CRL MP No.4416 of 2026: Criminal Miscellaneous Petition filed under Section 482 of Cr.P.C/528 of BNSS, to grant exemption from surrender in the order dated 04.08.2025 in Crl.Appeal No.82 of 2020 on the file of the V Additional District and Sessions Judge, Coimbatore confirming the trial Court Judgement dated 19.12.2019 in S.T.C.No.467 of 2018 on the file of the Judicial



Magistrate, Sulur, Coimbatore pending disposal of the above Criminal Revision before this Court.

For Petitioner(s): Mr.S.Silambuselvan

For Respondent(s): Mr.R.Kishore Kumar
Government Advocate (Crl.Side)

COMMON ORDER

The petitioner has preferred the above revision challenging the judgement passed by the learned V Additional District and Sessions Judge, Coimbatore in Crl.A.No.82 of 2020, dated 04.08.2025, confirming the trial Court judgment of the learned Judicial Magistrate, Sulur, Coimbatore in S.T.C.No.467 of 2018, dated 19.12.2019, convicting the petitioner for the following offences:

Conviction under Sections	Sentence awarded
279 of IPC	To pay a fine of Rs.500/- and in default to undergo simple imprisonment of one week.
337 of IPC (27 counts)	To pay a fine of Rs.500/- and in default to undergo simple imprisonment of one week.
338 of IPC (16 counts)	To undergo one month simple imprisonment and to pay a fine of Rs.500/- and in default to undergo simple imprisonment of one week.
304(A) of IPC (3 counts)	To undergo simple imprisonment of three months and to pay a fine of Rs.2,000/- and in default to undergo simple imprisonment of one month.



2. Pending revision, the petitioner has filed two Miscellaneous petitions, viz., Crl.M.P.No.4414 of 2026, seeking suspension of sentence and Crl.M.P.No.4416 of 2026 for exempting him from surrendering pursuant to the judgments.

3. The gist of the prosecution case is that on 20.09.2000 at about 3.20 p.m., when the defacto complainant was driving the Government bus bearing Reg.No.TN-38, N 04 92 from Tiruppur towards Coimbatore, at that time, from the opposite direction, the petitioner drove the bus named “Happy Ride” bearing Reg.No.TN 39 S-555, in a rash and negligent manner and dashed against the front side of the de-facto complainant’s Government bus. As a result of which, three women passengers sustained grievous injuries and succumbed to the injuries, and 16 passengers were injured.

4. The learned counsel for the revision petitioner submitted that there are lot of material contradictions in the evidence of the prosecution and the prosecution evidence is also highly unbelievable. He further submitted that apprehending arrest the present petitions for suspension of sentence and exemption from surrendering are filed and the petitioner is not in jail.



5. Heard the learned Government Advocate appearing for the respondent and perused the materials available on record.

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6. Considering the submissions made by the learned counsel for the petitioner; the fact that the petitioner raised substantial grounds in the above revision, which requires consideration; and also taking into consideration the facts and circumstances of the case, this Court is inclined to suspend the sentence of imprisonment and exempting him from surrender.

7. Accordingly, this Criminal Miscellaneous Petition stands **allowed**; the sentence imposed on the petitioner is suspended and the petitioner is exempted from surrendering before the Trial Court till the disposal of the above criminal revision case. The petitioner shall be released on bail subject to the following conditions:

- (i) The petitioner shall execute a bond for a sum of Rs.20,000/- (Rupees Twenty Thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate, Sulur, Coimbatore;
- (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



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(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 revision 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.

09-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. V Additional District and Sessions Judge, Coimbatore.
2. The Judicial Magistrate, Sulur, Coimbatore.
3. The Public Prosecutor, Madras High Court, Chennai.



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CRL MP Nos.4414 & 4416 of 202



C.KUMARAPPAN J.
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of 2026
in
CRL RC No. 579 of 2026**

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