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Crl.M.P.No.3618 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 27.02.2026

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THE HON'BLE MR.JUSTICE SUNDER MOHAN

Crl.M.P.No.3618 of 2026
in Crl.A.No.225 of 2026

S.Gowtham

... Petitioner/Accused

Vs.

State rep. By
The Inspector of Police,
Meensurutty Police Station,
Ariyalur District
(Crime No.198/2019)

... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Sections 415(2) r/w 430(1) of BNSS., pleased to suspend the sentence passed by the learned Principal District and Sessions Judge, Ariyalur, made in S.C.No.48 of 2021, by its judgment dated 03.02.2026, and enlarge the petitioner on bail till the disposal of the above Criminal Appeal.

For Petitioner : Mr.S.Ananthanarayanan
Senior Counsel for
Mr.S.M.Nandhie Devhan



Crl.M.P.No.3618 of 2026

For Respondent : Mr.S.Balaji

Government Advocate (Crl.Side)

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner/accused, seeking suspension of sentence, imposed by the learned Principal District and Sessions Judge, Ariyalur, vide judgment in S.C.No.48 of 2021 dated 03.02.2026.

2. The petitioner/accused in S.C.No.48 of 2021 was convicted by the Trial Court by judgment dated 03.02.2026 for the following offence:

<i>Under Sections</i>	<i>Sentence</i>
279 IPC	6 months S.I and fine of Rs.1,000/-, I/d. 3 weeks S.I
337 IPC (4 counts)	3 months S.I and fine of Rs.500/- in each counts, I/d. 1 week S.I
338 IPC	1 year S.I and fine of Rs.1,000/-, I/d. 2 months S.I
304(A) IPC	2 years S.I and fine of Rs.4,000/-, I/d. 3 months S.I

3. Aggrieved by the same, the petitioner has preferred Crl.A.No.225 of 2026 before this Court along with the instant criminal miscellaneous petition.



Crl.M.P.No.3618 of 2026

4. The case of the prosecution is that the petitioner, in an inebriated condition, drove a car bearing No.TN 07 BE 5715, in a rash and negligent manner and dashed against the victims, who were sitting on the concrete slab on the side of the road, causing injuries to them; that two persons who had come on a two wheeler and were sitting along with those victims succumbed to the injuries, and thus, committed the aforesaid offence.

5. The learned senior counsel for the petitioner/accused submitted that the petitioner was originally charged for the offence under Section 304(2) IPC and the Trial Court found the petitioner guilty of the offence under Section 304(A) (1 count) and 337 IPC (4 counts) and sentenced him as stated above; and that the trial Court has suspended the sentence imposed on the petitioner; and that the petitioner has raised substantial grounds in the appeal, which requires consideration, and prayed for suspension of sentence pending disposal of the appeal.

6. Heard the learned Government Advocate (Crl. Side) appearing for the respondent.



Crl.M.P.No.3618 of 2026

7. The trial Court had suspended the sentence for one month. The petitioner has raised substantial grounds in the appeal. The appeal is not likely to be taken up for hearing in the near future. Having regard to all the above facts, this Court is inclined to grant the relief of suspension of sentence to the petitioner.

8. Accordingly, this criminal miscellaneous petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above criminal appeal 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/- (Rupees Ten Thousand only), with two sureties, each for a like sum to the satisfaction of the learned Principal District and Sessions Judge, Ariyalur;
- 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



Crl.M.P.No.3618 of 2026

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.

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27.02.2026

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To

1. The Principal District and Sessions Judge, Ariyalur
2. The Inspector of Police,
Meensurutty Police Station,
Ariyalur District
3. The Public Prosecutor,
High Court of Madras.



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Crl.M.P.No.3618 of 2026

SUNDER MOHAN, J.

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Crl.M.P.No.3618 of 2026
in
Crl.A.No.225 of 2026

27.02.2026