



WEB COPY

CRL MP No. 5261 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 23-03-2026

CORAM

THE HON'BLE MR.JUSTICE C.KUMARAPPAN

CRL MP No. 5261 of 2026

in

CRL RC NO. 691 of 2026

Palanisamy

..Petitioner

Vs

State by, the Inspector of Police,
Erode North Police Station,
Erode. Crime No.254/2017.

..Respondent

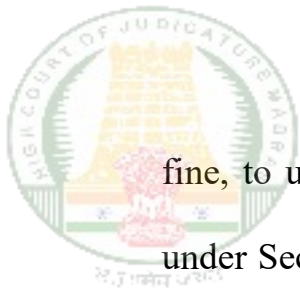
Prayer: This Criminal Revision petition is filed under Section 438 (1) of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentences imposed upon the petitioner by Judgment dated 13.02.2026 passed in Crl.A.No.162 of 2022 on the file of the II Additional District and Sessions Judge, Erode, confirming the Judgment dated 29.08.2022 passed in C.C.No.158 of 2019 on the file of the Judicial Magistrate No.1, Erode, pending final disposal of the Criminal Revision Petition.

For Petitioner: Mr.S.Jeyakumar

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

ORDER

The petitioner has preferred the above revision challenging the judgment dated 13.02.2026 passed by the learned II Additional District and Sessions Judge, Erode, in Crl.A.No.162 of 2022, confirming the judgment of the learned Magistrate convicted the petitioner for the offence under Sections 279 of IPC, 1860 and sentenced him to pay a fine of Rs.1,000/- in default to payment of



fine, to undergo simple imprisonment for two weeks. Further for the offence under Section 304(A) of IPC, 1860, the petitioner was convicted and sentenced to undergo simple imprisonment for a period of one year. The instant petition has been filed to suspend the sentence imposed on the petitioner.

2. It is the case of the prosecution that on 31.03.2017, when the deceased was riding his two-wheeler, a Bajaj Platina, from west to east at the curve near the Soolai Reliance Petrol Bunk on Erode-Sathi Road, the petitioner, who was driving a tipper lorry in the same direction, drove in a rash and negligent manner. As a result, the deceased sustained grievous injuries and succumbed to them. Thus, the petitioner has committed the aforementioned offences

3. The learned counsel for the petitioner submits that neither the trial Court as well as the appellate Court has not properly appreciated the evidence on record in its true perspective. Hence, he prayed to suspend the sentence imposed on the petitioner.

4. Heard the learned counsel on either side and perused the materials available on record.

5. Having regard to the submission made by the learned counsel for the petitioner that there are substantial grounds raised in the above revision which



require consideration, this Court is inclined to suspend the sentence imposed on the petitioner, subject to the following conditions:

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(i) The petitioner shall execute a bond for a sum of Rs.10,000/-, with two sureties, each for a like sum to the satisfaction of the learned II Additional District and Sessions Judge, Erode;

(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 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.

6. Accordingly, this Criminal Miscellaneous Petition is ordered. Post the matter on 28.04.2026.

23-03-2026

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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C.KUMARAPPAN, J.

NSL

To

1. The II Additional District and Sessions Judge, Erode,
2. The Judicial Magistrate No.1, Erode.

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