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Crl.M.P.No.6287 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 08.04.2026

CORAM:

**THE HON'BLE MR. JUSTICE A.D.JAGADISH CHANDIRA**

Crl.M.P.No.6287 of 2026

in

Crl.A.No.423 of 2026

K.Gopi

...Petitioner

Vs.

State rep. by,  
The Inspector of Police,  
K-10, Koyambedu Police Station,  
Traffic Investigation Unit,  
Chennai – 600 107.  
Crime No.53/KM2/2019.

...Respondent

Criminal Miscellaneous Petition is filed under Section 430(1) of the Bharatiya Nagarik Suraksha Sanhita, seeking to suspend the sentence imposed by the learned XXII Additional Sessions Judge, City Civil Court, Allikulam, Chennai in S.C.No.28 of 2021 dated 12.03.2026 against the appellant and release the appellant on bail pending disposal of this Appeal.

For Petitioner : Mr.S.Nageshwaran

For Respondent : Ms.J.R.Archana, GA(Crl. Side)



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## **ORDER**

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This criminal miscellaneous petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned XXII Additional Sessions Judge, City Civil Court, Allikulam, Chennai, in S.C.No.28 of 2021, vide judgment dated 12.03.2026.

2. The conviction and sentence imposed against the petitioner/appellant, vide impugned judgment are as follows:-

| <b><i>Under Section</i></b>                    | <b><i>Sentence</i></b>                                                                                         |
|------------------------------------------------|----------------------------------------------------------------------------------------------------------------|
| 185 of the Motor Vehicles Act                  | Six months rigorous imprisonment and fine of Rs.2,000/-, in default, to undergo one month simple imprisonment. |
| 304(II) of IPC                                 | One year rigorous imprisonment and fine of Rs.5,000/-, in default, to undergo two months simple imprisonment.  |
| The sentences were ordered to run concurrently |                                                                                                                |

3. Learned counsel for the petitioner/appellant submitted that the petitioner/appellant is innocent and he has been falsely implicated in this case. He further submitted that the trial court, vide order dated 12.03.2026 made in Crl.M.P.No.10 of 2026 in S.C.No.28 of 2021, had already suspended the sentence imposed on the petitioner till 06.04.2026 and a



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memo has also been filed by the petitioner before the trial court. He also submitted that the fine amount of Rs.7,000/- ordered by the trial Court has been paid by the petitioner/appellant as early as on 12.03.2026 and that there are arguable points available in the criminal appeal, which is unlikely to be taken up for final hearing in the near future and the petitioner/appellant has a fair chance of succeeding in the appeal. Hence, the sentence imposed on the petitioner/ appellant may be suspended.

4. Per contra, the learned Government Advocate (Crl. Side) appearing for the respondent opposed for suspension of sentence imposed on the petitioner stating that the trial Court, after taking into consideration the oral and documentary evidence produced by the prosecution, rightly found the petitioner/appellant guilty and convicted and sentenced him, as stated above, which cannot be said to be erroneous.

5. Heard both sides and perused the materials on record.

6. Considering the facts and circumstances of the case and also the submissions made by the learned counsel on either side and also taking note of the fact that the trial court had already suspended the sentence imposed on the petitioner till 06.04.2026, this Court is inclined to suspend



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the sentence of imprisonment imposed on the petitioner. Accordingly, till the disposal of the appeal, the relief of suspension of sentence is granted to the petitioner/appellant, subject to the following conditions:-

(i) The petitioner/appellant shall execute a bond for a sum of Rs.15,000/- (Rupees Fifteen Thousand only), with two sureties, each for a like sum to the satisfaction of the XXII Additional Sessions Judge, City Civil Court, Allikulam, Chennai;

(ii) The petitioner/appellant shall appear before the trial Court on the first working day of every month at 10.30 a.m., until the disposal of the criminal appeal.

7. Accordingly, this criminal miscellaneous petition stands ordered.

**08.04.2026**  
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To:

1. The XXII Additional Sessions Judge,  
City Civil Court,  
Allikulam, Chennai.
2. The Inspector of Police,  
K-10, Koyambedu Police Station,  
Traffic Investigation Unit,  
Chennai – 600 107.
3. The Public Prosecutor,  
High Court of Madras.



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**A.D.JAGADISH CHANDIRA, J.**

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08.04.2026