



Crl.M.P.Nos.6207 and 6209 of 2026

in

Crl.R.C.No.808 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 08.04.2026

CORAM

THE HONOURABLE MR.JUSTICE C.KUMARAPPAN

Crl.M.P.Nos.6207 and 6209 of 2026

in

Crl.R.C.No.808 of 2026

Baskar

... Petitioner

Vs.

State rep. By
Inspector of Police,
Kammapuram Police Station,
Crime No.162/2011

... Respondent

PRAYER in Crl.M.P.No.6207 of 2026: Criminal Miscellaneous Petition has been filed under Section 430(1) of BNSS praying to suspend the sentence and conviction passed by Hon'ble III Additional District and Sessions Judge, Cuddalore in C.A.No.44/2024 dated 18.02.2026, dismissing the appeal and confirming the order of Hon'ble Judicial Magistrate No.II, Virudhachalam dated 08.09.2022 in C.C.No.55/2012 under sections 279, 337(25 counts) and 304 A of IPC and enlarge the petitioner on bail till the disposal of the revision.



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PRAYER in Crl.M.P.No.6209 of 2026: Criminal Miscellaneous Petition filed under Section 528 of BNSS, praying to exempt the petitioner from surrendering before the trial Court in C.C.No.55/2012.

For Petitioner : Mr.R.Radha Pandian

ORDER

These Criminal Miscellaneous Petitions have been filed to suspend the sentence imposed on the petitioner and to exempt him to surrender before the Trial Court by judgment dated 18.02.2026 passed in Criminal Appeal No.44 of 2024, confirming the judgment dated 08.09.2022 passed in C.C.No.55 of 2012 on the file of the learned Judicial Magistrate No.II, Virudhachalam, pending disposal of the above criminal revision and enlarge the petitioner on bail.

2. The petitioner has been convicted and sentenced by the learned Trial Judge as follows:-

Conviction under Sections	Sentence awarded
279 of IPC	To undergo rigorous imprisonment for one month and to pay a fine of Rs.1000/- and in default to undergo simple imprisonment for one week.
337	To undergo rigorous imprisonment for three months and to pay a fine of Rs.500/- and in default to undergo



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	simple imprisonment for one week.
304(A)	To undergo rigorous imprisonment for two years month and to pay a fine of Rs.10,000/- and in default to undergo simple imprisonment for one week. Further, the compensation amount of Rs.10,000/- has to be deposited to the legal heirs of the deceased.

3. Aggrieved by the same, the petitioner had filed a Criminal Appeal in C.A.No.44 of 2024 and the first Appellate court dismissed the appeal by confirming the judgment of the trial court. Aggrieved by the same, he filed Crl.R.C.No.808 of 2026 before this Court along with the instant criminal miscellaneous petitions seeking suspension of sentence and to exempt him to surrender before the Trial Court.

4. The learned counsel for petitioner would submit that the accident took place due to the mechanical defect, which fact was not notice by both the Courts i.e., Trial Court as well as the Appellate Court. He further submitted that he has also paid the fine amount. Apart from that, he has also raised substantial grounds in this revision, which require detail deliberation.



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

6. Considering the fact that there are substantial grounds raised in the above revision, which require consideration and since the revision is not likely to be taken up in the near future, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court

7. Accordingly, these Criminal Miscellaneous Petitions stand **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.25,000/- (Rupees Twenty Five Thousand), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.2, Virudhachalam;

(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



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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 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.

08.04.2026

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To

- 1.The III Additional District and Sessions Judge, Cuddalore.
- 2.The Judicial Magistrate No.II, Virudhachalam.



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C.KUMARAPPAN, J.

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