



Crl.M.P. No.7439 of 2026

in

Crl.R.C. No.940 of 2026

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27.04.2026

CORAM

THE HONOURABLE MR. JUSTICE C.KUMARAPPAN

Crl.M.P. No.7439 of 2026

in

Crl.R.C.No.940 of 2026

Thirumalai Kannan
S/o. Kannayiram, No.19/52A,
Nadumaran Nagar, Dharmapuri.

Petitioner(s)

Vs

The State Represented by
The Inspector of Police
Dharmapuri Town Police Station,
Dharmapuri.
(Crime No.1764 of 2020)

Respondent(s)

Prayer: Criminal Miscellaneous Petition filed to suspend the order of conviction passed by the learned Judicial Magistrate No.1, Dharmapuri, in C.C.No.60 of 2021, dated 18-3-2025, confirmed by the learned Additional District and Sessions Judge, Dharmapuri, in Crl A. No.27 of 2025, dated 11-03-2026 till the disposal of this Criminal Revision Petition and enlarge the petitioner on bail.



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For Petitioner(s) : Mr.L.Ramesh

For Respondent(s) : Mr.S.Vinoth Kumar
Government Advocate (Crl.Side)

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence imposed on the petitioner by judgment dated 18.03.2025 passed in C.C.No.60 of 2021 by the learned Judicial Magistrate No.1, Dharmapuri and confirmed by the judgment dated 11.03.2026 passed in Criminal Appeal No.27 of 2025 on the file of the learned Additional District and Sessions Court, Dharmapuri, pending disposal of the above Criminal Revision and enlarge the petitioner on bail.

2. The petitioner in C.C.No.60 of 2021 was convicted and sentenced by the Trial Court by the judgment dated 18.03.2025 as tabulated below:



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Offences	Punishment
Sections 279 IPC	To undergo simple imprisonment of 2 months and to pay fine of Rs.1,000/-, in default to undergo simple imprisonment for one month.
Section 338 IPC	To undergo three months simple imprisonment and to pay a fine of Rs.1,000/-, in default to undergo simple imprisonment of one month.
Section 304(A) IPC	To undergo simple imprisonment of one year and to pay fine of Rs.2,000/- in default to simple imprisonment of two months.

3. Aggrieved by the same, the petitioner had filed a Criminal Appeal in Crl.A.No.27 of 2025 and the First Appellate Court dismissed the appeal by confirming the judgment of the Trial Court. Aggrieved by the dismissal, the petitioner has filed the Criminal Revision Petition in Crl.RC.No.940 of 2026 before this Court along with the instant Criminal Miscellaneous Petition seeking suspension of sentence and bail.

4. The learned counsel for the petitioner would submit that the occurrence took place on a curved road. Therefore, fixing the responsibility solely on the petitioner is not proper. However, both the Courts below have



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not taken into consideration the contributory negligence of the deceased.

Apart from that the learned counsel for the petitioner has also raised several other aspects which require elaborate deliberation.

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

6. In view of the above submission made by the learned counsel for the petitioner, this Court is of the view that, a further deliberation is required in this present Civil Revision Petition. Hence, this Court is inclined to suspend the sentence imposed on the petitioner.

7. Accordingly, this Criminal Miscellaneous Petition stands **allowed** and the sentence imposed on the petitioner is suspended till the disposal of the above criminal revision 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.25,000/- (Rupees Twenty Five Thousand Only), with two sureties, each



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for a like sum to the satisfaction of the Judicial Magistrate No.I, Dharmapuri;

(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

(i)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.

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To

- 1.The Judicial Magistrate No.1, Dharmapuri.
- 2.The learned Additional District and Sessions Court, Dharmapuri.
- 3.The Inspector of Police
Dharmapuri Town Police Station,
Dharmapuri.
(Crime No.1764 of 2020)



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C.KUMARAPPAN,J.
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