



WEB COPY

CRL MP No. 8364 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-05-2026

CORAM

THE HON'BLE MRS.JUSTICE L.VICTORIA GOWRI

**CRL MP No. 8364 of 2026
in CRL RC NO. 1032 OF 2026**

Ramesh S/o. Varadaraj,
No.4/196-D, Chandils,
Oveli, Quent Estate,
Lawrston, Gudalure,
Nilgiris District.

..Petitioner(s)

Vs

The State represented by:

The Inspector of Police
East Traffic Investigation Wing,
Coimbatore, Coimbatore District.
Cr.No.648/2015.

..Respondent(s)

PRAYER: This Criminal Miscellaneous Petition has been filed under Section 438(1) read with 483 of B.N.S.S. to suspend the sentence passed by the learned III Additional District and Sessions Court, Coimbatore, Coimbatore District in Crl.A.No.48/2022 dated 26.02.2026 by conforming the Judgment and sentence passed by the learned Judicial Magistrate, No.VIII, Coimbatore, Coimbatore District in CC.No.16/2016 by Judgment dated 29.06.2022 and enlarge the petitioner on bail pending disposal of the Crl.R.C.No.1032 of 2026.

For Petitioner(s): Mr. E.Kannadasan

For Respondent(s): Mr. A. Damodaran,
Additional Public Prosecutor.

**ORDER**

This Criminal Miscellaneous Petition has been filed seeking suspension of sentence of imprisonment, imposed by the learned Judicial Magistrate, No.VIII, Coimbatore, Coimbatore District in CC.No.16/2016 by Judgment dated 29.06.2022.

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

<i>Under Sections</i>	<i>Sentence</i>
279 of IPC	6 months Simple Imprisonment and to pay a fine of Rs.1,000/-, in default, to undergo simple imprisonment for a period of 2 weeks.
337 of IPC	6 months Simple Imprisonment and to pay a fine of Rs.500/-, in default, to undergo simple imprisonment for a period of 2 weeks.
304-A of IPC	2 years Simple Imprisonment and to pay a fine of Rs.5,000/-, in default, to undergo simple imprisonment for a period of 2 weeks.
The sentences were ordered to run consecutively.	

2. The instant petition has been filed to suspend the sentence imposed on the petitioner pending disposal of the above revision.



3. The case of the prosecution is that on 04.09.2015 at about 1.20 p.m., when the PW1 and his wife / deceased Saraswathi, were proceeding to their house in their two wheeler, after medical checkup at Chinniyampalayam near at Chinniyampalayam Check Post and they were waiting on the Avinasi Road to cross the Road to proceed towards Neelambur from South to North, a Government Bus bearing Registration No.TN38-N-1510 came from Eastern side to Western side in a rash and negligent manner and dashed against their two wheeler. Due to the accident, PW1 sustained laceration injury on his chest, hand, legs and his wife sustained injury on her head, left hand wrist and fracture. Hence the case.

4. The learned counsel for the petitioner would submit that the judgment and sentence of the Court below are contrary to law, that the trial Court failed to see the material contradictions in the prosecution side evidences and there are no materials and evidences to prove the offences charges against the petitioner and hence, he prayed to suspend the sentence imposed on the petitioner.

5. The learned Additional Public Prosecutor appearing for the respondent would submit 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.



6. Heard the learned counsel for the petitioner and the learned Additional Public Prosecutor appearing for the respondent and perused the materials available on record.

7. 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 grant suspension of sentence and exempt the petitioner from surrendering before the Trial Court, subject to the following conditions:

(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 Judicial Magistrate, No.VIII, Coimbatore, Coimbatore District;

(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.



8. Accordingly, this Criminal Miscellaneous Petition is ordered.

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Index: Yes/No

Speaking/Non-speaking order

Neutral Citation: Yes/No

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Note:

1. Registry is directed to forthwith upload this order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this order when uploaded in the official website of this Court will be watermarked and will also have a QR code.

To

1. The III Additional District and Sessions Court, Coimbatore District.
2. The Judicial Magistrate, No.VIII, Coimbatore, Coimbatore District.
3. The Inspector of Police, East Traffic Investigation Wing, Coimbatore District.
4. The Public Prosecutor, High Court of Madras.



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L.VICTORIA GOWRI, J.

MJS / VEDA

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