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CRL MP Nos.24515 & 24516 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 07-01-2026**

CORAM

**THE HONOURABLE MR.JUSTICE SUNDER MOHAN**

**CRL MP Nos.24515 & 24516 of 2025  
in CRL RC No.2826 of 2025**

Karunakaran  
S/o.Velusamy Gounder,  
124, Meenakshi Garden, Coimbatore.

Petitioner(s)

Vs

The State of Tamil Nadu,  
Rep. by Inspector of Police,  
Tiruppur, Rural Police Station,  
Tiruppur.

Respondent(s)

**PRAYER in CrI.M.P.No.24515 of 2025:** Criminal Miscellaneous Petition filed under Section 420 & 442 of BNSS, to suspend the sentence of imprisonment imposed in C.A.No.41 of 2023 dated 14.11.2025 on the file of the I Additional District and Sessions Judge, Tiruppur, confirming the conviction and sentence made in C.C.No.147 of 2020 dated 19.10.2022 on the file of the Judicial Magistrate No.IV, Tiruppur convicting the petitioner for offences Under Sections 279 and 304(A) (two counts) IPC U/s. 255(2) Cr.PC and sentenced to undergo Simple Imprisonment for 3 months and to pay fine of Rs.1,000/- and in default to undergo Simple Imprisonment for 1 month for offence U/s. 279 IPC and sentenced to undergo Simple Imprisonment for 6 months and to pay a fine of Rs.2,000/- and in default to undergo Simple Imprisonment for 1 month for each count for offence U/s. 304(A) (2 counts).

**PRAYER in CrI.M.P.No.24516 of 2025:** Criminal Miscellaneous Petition filed under Section 528 of BNSS, to exempt the petitioner from surrendering pursuant to the judgment made in C.A.No.41 of 2023 dated 14.11.2025 on the file of the I Additional District and Sessions Judge, Tiruppur, confirming the



conviction and sentence made in C.C.No. 147 of 2020 dated 19.10.2022 on the file of the Judicial Magistrate No.IV, Tiruppur convicting the petitioner for offences under Sections 279 and 304(A) (two counts) IPC under Section 255(2) Cr.PC and sentenced to undergo Simple Imprisonment for 3 months and to pay fine of Rs.1,000/- and in default to undergo Simple Imprisonment for 1 month for offence under section 279 IPC and sentenced to undergo Simple Imprisonment for 6 months and to pay a fine of Rs.2,000/- and in default to undergo Simple Imprisonment for 1 month for each count for offence under Section 304(A)(2 counts).

**Appearance of counsel in both petitions**

For Petitioner: Mr.M.Sivavarthanan

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

**COMMON ORDER**

The Criminal Revision Case has been filed for setting aside the judgment dated 14.11.2025 in C.A.No.41 of 2023 on the file of the learned I Additional District and Sessions Judge, Tiruppur, confirming the judgment made in C.C.No.147 of 2020 dated 19.10.2022 on the file of the learned Judicial Magistrate No.IV, Tiruppur, convicting the petitioner for offences under Sections 279 and 304(A) (two counts) IPC and sentencing him to undergo Simple Imprisonment for a period of 3 months and to pay a fine of Rs.1,000/-, in default to undergo Simple Imprisonment for a period of 1 month for offence u/s. 279 IPC and to undergo Simple Imprisonment for a period of 6 months and to pay a fine of Rs.2,000/-, in default to undergo Simple Imprisonment for a period of 1 month for each count for offence u/s. 304(A) (2 counts).



2. Pending revision, the petitioner has filed two Miscellaneous petitions, viz., Crl.M.P.No.24515 of 2025 seeking suspension of sentence and Crl.M.P.No.24516 of 2025 for exempting him from surrendering pursuant to the judgments.

3. The gist of the prosecution case is that on 10.02.2019 at about 9.00p.m., when the defacto complainant's husband was travelling as a pillion rider on a two-wheeler, the petitioner came in his car in the opposite direction rashly and negligently, as a result of which the rider and the pillion rider sustained grievous injuries and succumbed to the injuries.

4. The learned counsel for the petitioner would submit that the Courts below had ignored vital evidences which would indicate that the accident did not take place due to rashness or negligence of the petitioner; that the rough sketch has not been taken into consideration by the Courts below; that the petitioner had surrendered pursuant to the judgment on 05.01.2026; and considering the fact that the petitioner has raised substantial grounds in the above revision, prayed for suspension of sentence.

5. Heard the learned Government Advocate (Crl.Side) and perused the materials available on record.



6. Since the petitioner has already surrendered and is in custody, the petition [Crl.M.P.No.24516 of 2025] to exempt him from surrendering is dismissed.

7. Considering the submissions made by the learned counsel for the petitioner; the fact that the petitioner raised substantial grounds in the above revision, which requires consideration; and the fact that the petitioner has been in custody from 05.01.2026, this Court is inclined to suspend the sentence of imprisonment and release him on bail on the certain conditions.

8. Accordingly, the criminal miscellaneous petition in Crl.M.P.No.24515 of 2025 stands **allowed** and the sentence of imprisonment imposed on the petitioner is suspended till the disposal of the above 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.10,000/- (Rupees Ten Thousand Only), with two sureties, each for a like sum to the satisfaction of the learned Judicial Magistrate No.IV, Tiruppur;
- (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



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(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.

9. In view of the surrender of the petitioner, the petition seeking exemption from surrendering in CrI.M.P.No.24516 of 2025 is **dismissed**.

**07-01-2026**

Jd/ars

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Issue order copy by 08.01.2026

To

1. The Learned Judicial Magistrate No.IV, Tiruppur.

2. Central Prison, Coimbatore.

3. The Inspector of Police,  
Tiruppur, Rural Police Station, Tiruppur.

4. The Public Prosecutor,  
High Court, Madras.



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**SUNDER MOHAN J.**  
jd/ars

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**(1/2)**

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