



CRL MP(MD). No.1137 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **21/01/2026**

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). No.1137 of 2026

in

CRL RC(MD)No.89 of 2026

K.Sekar

S/o.Krishnan

... Petitioner

Vs

The State of Tamilnadu

Rep by The Inspector of Police

Aravakurichi Police Station

Karur District.

Crime No.20/2018.

... Respondent

PRAYER in Crl.M.P.(MD).No.1137 of 2026 :-

To Suspend the sentence imposed on the petitioner in the judgment of conviction and sentence passed in C.A No.198/2023 dated 16.09.2025 on the file of the Learned District and sessions Judge, Karur by confirming the judgment of conviction and sentence passed in C.C.No.378 of 2019 dated 21.09.2023 on the file of learned District Munsif cum Judicial Magistrate, Aravakurichi and enlarge him on bail, pending disposal of the above criminal revision.

For Petitioner : Mr.N.Shanmuga Selvam

For Respondent : Mr.P.Kottaisamy,
Government Advocate (Crl.Side)



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ORDER

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Heard Mr.N.Shanmuga Selvam, learned Counsel for petitioner and Mr.P.Kottaisamy, learned Government Advocate (Crl.Side) appearing for the respondent.

2. Criminal Miscellaneous Petition has been filed, praying to suspend the sentence imposed on petitioner by District Munsif cum Judicial Magistrate Court, Aravakurichi, in C.C.No.378 of 2019 vide order dated 21.09.2023, which was confirmed by learned District and Sessions Judge, Karur in Crl.A.No.198 of 2023, vide order dated 16.09.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by District Munsif cum Judicial Magistrate Court, Aravakurichi for offences punishable under Sections 279 and 304(A) of IPC in C.C.No.378 of 2019 dated 21.09.2023 and sentenced as follows:

(i) to undergo six months Simple imprisonment and to pay a fine of Rs.1000/-, in default to undergo one month simple imprisonment for offence under section 279 of IPC.



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(ii) to undergo one year Simple imprisonment and to pay a fine of Rs.2,000/-, in default to undergo two months simple imprisonment for offence under section 304(A) of IPC (2 counts).

4. Aggrieved, petitioner filed Criminal Appeal No.198 of 2023, before District and Sessions Court, Karur and the lower Appellate Court vide order dated 16.09.2025, dismissed the appeal and confirming the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.89 of 2026 before this Court along with instant miscellaneous petition seeking suspension of sentence and bail.

5. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and he further submitted that the trial court failed to appreciate that even the eyewitnesses did not categorically state either of the negligence on the part of the petitioner or his identity. He would further submit that petitioner has also paid fine amount as per the order of the trial Court. Hence, he prayed for granting suspension of sentence and bail to petitioner.



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6. Learned Government Advocate (Crl.Side) appearing for respondent opposed the submissions of learned counsel for petitioner and submitted that judgments passed by Courts below are as per law after considering the entire evidence, thus the relief sought by petitioner at this stage be refused by this Court.

7. Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is also likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence and bail, on the following conditions, till the disposal of above Criminal Revision:

i) The petitioner is directed to be enlarged on bail on his executing 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 District Munsif cum Judicial Magistrate, Aravakurichi;

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



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ii) The petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

iii) The petitioner shall appear and sign before the District Munsif cum Judicial Magistrate, Aravakurichi, on the first working day of every month at 10.30 a.m., till the disposal of revision;

iv) In case, if the petitioner 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. (corresponding to 355 B.N.S.S) 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.

21.01.2026

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MOHAMMED SHAFFIQ, J

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To

1.The District and Sessions Judge,
Karur.

2. The District Munsif cum Judicial Magistrate,
Aravakurichi

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

ORDER

IN

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Date : 21/01/2026

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