



Crl.MP(MD)Nos.706 and 708 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 12.01.2026

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.706 and 708 of 2026

in

Crl.RC.(MD)No.54 of 2026

Sahayasundar

... Petitioner in both

Vs.

State Of Tamilnadu Rep By,
The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District,
Crime No.71/2022

... Respondent in both

PRAYER in Crl.M.P.(MD).No.706 of 2026 :-

To suspend the sentence imposed by the conviction and sentence passed by the Additional District & Sessions Judge, Aruppukottai, Virudhunagar District in C.A.No.146 of 2024 dated 06.11.2025 confirming the judgment of conviction and sentence rendered by the Learned Judicial Magistrate Court Aruppukottai, Virudhunagar District in C.C.No.62 of 2023 dated 15.11.2024 and enlarge the petitioner on bail pending disposal of the main revision.



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PRAYER in Crl.M.P.(MD).No.708 of 2026 :-

To exemption to surrender before the trial Court in connection with the conviction and sentence passed by the Additional District & Sessions Judge, Aruppukottai, Virudhunagar District in C.A.No.146 of 2024 dated 06.11.2025 confirming the judgment of conviction and sentence rendered by the Learned Judicial Magistrate Court Aruppukottai, Virudhunagar District in C.C.No.62 of 2023 dated 15.11.2024 and enlarge the petitioner on bail pending disposal of the main revision.

For Petitioner	:	Mr.R.Ganesh Prabu
For Respondent	:	Mr.P.Kottaichamy Government Advocate

ORDER

Heard Mr.R.Ganeshprabu, learned counsel appearing for petitioner and Mr.P.Kottaichamy, learned Government Advocate, who accepts notice on behalf of the respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed upon the petitioner by the learned Judicial Magistrate Court Aruppukottai, Virudhunagar District in C.C.No.62 of 2023 dated 15.11.2024, which was confirmed by the learned Additional District & Sessions Judge, Aruppukottai, Virudhunagar District in C.A.No.146 of 2024 dated 06.11.2025 and to exempt the petitioner from surrendering before the Court below.



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3. Learned counsel for the petitioner would submit that the petitioner was convicted by the learned Judicial Magistrate Court Aruppukottai, Virudhunagar District for the offences punishable under Sections 279, 337 (3 counts) and 304-A (2-counts) of IPC in C.C.No.62 of 2023 dated 15.11.2024 as follows:-

- (i) to pay a fine of Rs.1,000/-, in default to undergo two months simple imprisonment, for offence under Section 279 IPC;
 - (ii) to pay a fine of Rs.500/- each totally Rs.1,500/-, in default to undergo two months simple imprisonment, for offence under Section 337 IPC (3 counts);
 - (iii) to undergo two years simple imprisonment each and to pay a fine of Rs.2,500/- each under Section 304-A IPC(2 counts) .
- Aggrieved, petitioner filed Criminal Appeal No.146 of 2024, before the learned Additional District & Sessions Judge, Aruppukottai and the lower Appellate Court vide order dated 06.11.2025, dismissed the appeal confirming the judgment passed by the learned Judicial Magistrate Court, Aruppukottai, Virudhunagar District. Challenging the above conviction and



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sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.54 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

4. Learned Counsel for petitioner submits that petitioner has a good case, *inter alia* stating that the prosecution has not examined any independent witnesses. The material witnesses are family members and therefore, interested witnesses. That apart, there are material contradictions in the version of prosecution witnesses with regard to the manner of the accident and also with regard to the alleged rash and negligence attributed to the petitioner.

5. Learned counsel for petitioner further submits that petitioner has raised substantial grounds in above revision, which requires consideration; and that he also paid fine amount as per the order of trial Court. Hence, he prayed for granting suspension of sentence and bail to petitioner.



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6. Learned Government Advocate appearing for the respondent has opposed the submissions made by the learned counsel for the petitioner and submits that the judgments passed by both the Courts are as per law after considering the entire evidence, thus the relief sought by the 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 likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the 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 learned Judicial Magistrate Court Aruppukottai, Virudhunagar District;

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 learned Judicial Magistrate Court Aruppukottai, Virudhunagar District, on the first working day of every English calendar month at 10.30 a.m., until further orders;

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, these Criminal Miscellaneous Petitions are ordered.

**12.01.2026
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To:

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1. The Judicial Magistrate Court Aruppukottai, Virudhunagar District
2. The Additional District & Sessions Judge, Aruppukottai, Virudhunagar District
3. The Inspector of Police,
Pandalgudi Police Station,
Virudhunagar District,
Crime No.71/2022 .
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

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Dated: 12.01.2026
(1/2)