



CRL MP(MD). Nos.3938 & 3940 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : **20/02/2026**

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.3938 & 3940 of 2026
in
CRL RC(MD)No.323 of 2026

R.Palanivel

... Petitioner

Vs

State of Tamilnadu Rep By
The Inspector of Police,
K.Paramathi Police Station,
Karur District.

Crime No. 151 of 2018.

... Respondent

PRAYER in CrI.M.P.(MD).No.3938 of 2026 :-

To Suspend the sentence passed against the petitioner in CrI.A.No.139 of 2023 dated 23.09.2025 on the file of District and Sessions Judge, Karur by confirming the judgment and sentence passed in C.C.No.439 of 2019 dated 17.07.2023 on the file of District Munsif cum Judicial Magistrate, Aravakurichi.

PRAYER in CrI.M.P.(MD).No.3940 of 2026 :-

To Exempt the petitioner from surrendering before the trial court in CrI.A.No.139/2023 dated 23.09.2025 on the file of District & Sessions Judge, Karur by confirming the judgment and sentence in C.C.No.439 of 2019, dated 17.07.2023 on the file of the District Munsif cum Judicial Magistrate, Aravakurichi.



CRL MP(MD). Nos.3938 & 3940 of 2026

For Petitioner : M/s.V.Sundari

For Respondent : Mr.P.Kottaichamy
Government Advocate (Crl.side)

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ORDER

Heard M/s.V.Sundari, learned Counsel for petitioner and Mr.P.Kottaichamy, learned Government Advocate (Crl.side) appearing for respondent.

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed on petitioner by District Munsif cum Judicial Magistrate, Aravakurichi, in C.C.No.439 of 2019 vide order dated 17.07.2023, which was confirmed by learned District and Sessions Judge, Karur in Crl.A.No.139 of 2023, vide order dated 23.09.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by District Munsif cum Judicial Magistrate, Aravakurichi for offences punishable under Sections 279, 337, 304(A) of IPC in C.C.No. 439 of 2019 dated 17.07.2023 and sentenced as follows:



CRL MP(MD). Nos.3938 & 3940 of 2026

(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.

(ii) 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 337 of IPC (two counts).

(iii) to undergo one year simple imprisonment and to pay a fine of Rs.2000/-, in default, to undergo two months simple imprisonment for offence under Section 304(A) of IPC.

4. Aggrieved, petitioner filed Criminal Appeal No.139 of 2023, before District and Sessions Judge, Karur and the lower Appellate Court vide order dated 23.09.2025, dismissed the appeal and confirmed the judgment passed by Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in Crl.RC(MD)No.323 of 2026 before this Court along with instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

5. Learned Counsel for the petitioner submits that there was no evidence to prove that the petitioner had driven his vehicle in a rash and negligent manner.



CRL MP(MD). Nos.3938 & 3940 of 2026

6. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration. 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 to the petitioner.

7. 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.

8. 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, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of above Criminal Revision:

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



CRL MP(MD), Nos.3938 & 3940 of 2026

i) 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.

ii) 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) 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., until the disposal of revision;

iv) In case, petitioner is not able to appear before the said 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 said Court on any other day in lieu of the date of his absence, as directed by the said Court.

9. Accordingly, these Criminal Miscellaneous Petitions are ordered.

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CRL MP(MD). Nos.3938 & 3940 of 2026

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 Inspector of Police,
K.Paramathi Police Station,
Karur District.

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

ORDER

IN

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in

CRL RC(MD)No.323 of 2026

Date : 20/02/2026

1/2