



Crl.MP(MD)Nos.3749 and 3751 of 2026

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 18.02.2026

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THE HONOURABLE MR.JUSTICE MOHAMMED SHAFFIQ

Crl.MP(MD)Nos.3749 and 3751 of 2026

in

Crl.RC.(MD)No.305 of 2026

R.Madhankumar

... Petitioner in both

Vs.

State Rep., by through,
The Inspector of Police,
Lalapet Police Station,
Kulithalai,
Karur District.
Crime No.403/2020

... Respondent in both

PRAYER in Crl.M.P.(MD).No.3749 of 2026 :-

To Suspend the sentence imposed Judgment dated 13.11.2025 made in C.A.No.93 of 2024 on the file of District and Sessions Judge, Karur confirming the Judgment passed by the learned Judicial Magistrate Court, Kulithalai in C.C.No.58 of 2021 by order dated 24.04.2024 and enlarge him on bail pending disposal of the Criminal Revision.



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PRAYER in Crl.M.P.(MD).No.3751 of 2026 :-

To grant exemption of petitioner surrender perusal of Judgment 13.11.2025 made in Crl.A.No.93 of 2024 on the file of the District and Sessions Judge, Karur confirming the Judgment passed by the Learned Judicial Magistrate Court, Kulithalai in C.C.No.58 of 2021 by order dated 24.04.2024 pending disposal of the criminal revision.

For Petitioner : Mr.S.Vinayak

For Respondent : Mr.P.Kottaichamy
Government Advocate

ORDER

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

2. Criminal Miscellaneous Petitions have been filed, praying to suspend the sentence imposed upon petitioner by Judicial Magistrate Court, Kulithalai in C.C.No.58 of 2021 dated 24.04.2024, which was confirmed by District and Sessions Judge, Karur in Crl.A.No.93 of 2024 dated 13.11.2025 and to exempt the petitioner from surrendering before the Court below.



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3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate Court, Kulithalai for offences punishable under Sections 279 and 304 (A) of IPC in C.C.No.58 of 2021 dated 24.04.2024 and sentenced as follows:-

- (i) to undergo one month simple imprisonment, for offence under Section 279 IPC;
- (ii) to undergo one year simple imprisonment and to pay a fine of Rs. 1,000/-, in default to undergo one week simple imprisonment.

Aggrieved, petitioner filed Criminal Appeal No.93 of 2024, before District and Sessions Judge, Karur and the lower Appellate Court vide order dated 13.11.2025, dismissed the appeal confirming the judgment passed by the Trial Court. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in Crl.RC(MD)No.305 of 2026 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.



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4. Learned counsel for petitioner would submit that petitioner has a good case *inter alia* stating none of the witnesses examined by prosecution have stated that the accused/appellant was driving the vehicle in a rash and negligent manner, which is an essential ingredient for constituting an offence under Section 304-A of IPC.

5. Learned counsel for petitioner would further submit 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.

6. Learned Government Advocate appearing for respondent has opposed the submissions made by learned counsel for petitioner and submits that judgments passed by both the Courts below are as per law after considering the entire evidence, thus the relief sought by the petitioner at this stage be refused by this Court.



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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) 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 Judicial Magistrate, Kulithalai;

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

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



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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.

8. Accordingly, these Criminal Miscellaneous Petitions are ordered.

12.01.2026
(1/2)

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To:

1. The Judicial Magistrate, Kulithalai;
2. The District and Sessions Judge, Karur
3. The Inspector of Police,
Lalapet Police Station,
Kulithalai,
Karur District.
Crime No.403/2020 .
4. The Additional Public Prosecutor,
Madurai Bench of Madras High Court.
Madurai.



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MOHAMMED SHAFFIQ, J.

rgm

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in
Crl.RC.(MD)No.305 of 2026

Dated: 18.02.2026
(1/2)