



CRL MP(MD) Nos.4318 and 4321 of 2026
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-02-2026

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 4318 and 4321 of 2026

in

CRL RC(MD) No.352 of 2026

Sownthar

Petitioner(s)
in both petitions

Vs

The State of Tamil Nadu,
Rep. by the Inspector of Police,
Vengamedu Police Station,
Karur District.
(In Crime No.216 of 2018)

Respondent(s)
in both petitions

For Petitioner(s):

Mr.B.Santhanam Rajesh Kumar

For Respondent(s):

Mr.P.Kottaichamy
Government Advocate

Prayer for Crl.M.P(MD)No.4318 of 2026:

To Suspend the Sentence imposed upon the petitioner by the Judgement dated 25.09.2025 made in Criminal Appeal No.193 of 2023 on the file of the learned District and Sessions Judge, Karur confirming the Judgment dated.29.08.2023 made in C.C.No. 312 of 2018 on the file of the learned Judicial Magistrate No.I, Karur pending disposal of the above criminal revision petition.



Prayer for CrI.M.P(MD)No.4321 of 2026:

To Exempt the petitioner from Surrender in pursuant to the Judgement dated 25.09.2025 made in Criminal Appeal No.193 of 2023 on the file of the learned District and Sessions Judge, Karur confirming the Judgment dated.29.08.2023 made in C.C.No. 312 of 2018 on the file of the learned Judicial Magistrate No.I, Karur pending disposal of the above criminal revision petition.

COMMON ORDER

Heard Mr.B.Santhanam Rajesh Kumar, learned Counsel for petitioner and Mr.P.Kottaichamy, learned Government Advocate for respondent.

2. Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.I, Karur in C.C.No.312 of 2018 dated 29.08.2023, which was confirmed by District and Sessions Judge, Karur in CrI.A.No. 193 of 2023 dated 25.09.2025 and to exempt petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.I, Karur for the offences punishable under Sections 279, 338 AND 304(A) of IPC r/w. Section 196 of Motor Vehicles Act in C.C.No.312 of 2018 dated 29.08.2023 and sentenced as follows:-



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(i) to pay fine of Rs.1000/-, in default to undergo one month simple imprisonment for offence under Section 279 IPC;

(ii) to undergo six months simple imprisonment for offence under Section 338 IPC;

(iii) to undergo one year simple imprisonment for offence under Section 304(A) IPC;

(iv) to pay Rs.2,000/- fine, in default to undergo one month simple imprisonment under Section 196 of MV Act.

3.1. Aggrieved, petitioner filed Criminal Appeal No.193 of 2023 before District and Sessions Judge, Karur and lower Appellate Court vide order dated 25.09.2025, dismissed the appeal confirming the judgment passed by Trial Court. Challenging the above conviction and sentence, petitioner has filed Criminal Revision Petition in CrI.RC(MD)No.352 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 further submits that petitioner has a good case, *inter alia*, stating that testimony of P.W.4 suffers from material discrepancies and inconsistencies, contains significant contradictions, and lacks corroboration.



5. Learned counsel for petitioner would further submit that petitioner has raised other substantial grounds in above revision; and that he also paid fine amount as per the order of trial Court. Hence, he prayed for granting suspension of sentence, bail and exemption from surrender.

6. Learned Government Advocate (Crl.Side) appearing for respondent has opposed the submissions made by learned counsel for petitioner and submits that 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 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 Judicial Magistrate No.I, Karur;

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



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 Judicial Magistrate No.I, Karur, on the first working day of every English calendar month at 10.30 a.m., until further orders;

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.

25-02-2026
(1/2)

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To

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- 1.The Judicial Magistrate No.I, Karur, Karur District
- 2.The District and Sessions Judge, Karur
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.