

Vinoth Kumar Vs State of Tamilnadu Rep. by The Inspector of Police

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Court : Chennai

Decided On : May-27-2026

Judge : Honourable Mr.Justice Mohammed Shaffiq

Appeal No. : CRL MP/8575/2026

Appellant : Vinoth Kumar

Respondent : State of Tamilnadu Rep. by The Inspector of Police

Judgement :

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-05-2026

CORAM

THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ CRL MP NOS.8575 and 8576 of 2026 in CRL RC No.1074 of 2026 Vinoth Kumar ... Petitioner Vs State of Tamil Nadu, Rep. by, The Inspector of Police, TIW East Police Station, Coimbatore District. (Crime No.760 of 2015) ... Respondent

Prayer in Crl.M.P.No.8575 of 2026: To suspend the sentence imposed upon the petitioner vide judgment dated 24.02.2026 in Crl.A.No.213 of

2023 on the file of the Learned III Additional District and Sessions Judge, Coimbatore, confirming the judgment dated 15.06.2023 passed in C.C.No.24 of 2016 on the file of learned Judicial Magistrate No.8, Coimbatore, pending disposal of the above criminal revision.

Prayer in Crl.M.P.No.8576 of 2026: To exempt the petitioner from surrender before the Trial Court pursuant to the judgment dated 24.02.2026 in Crl.A.No.213 of 2023 on the file of the Learned III Additional District and Sessions Judge, Coimbatore, confirming the judgment dated 15.06.2023 passed in C.C.No.24 of 2016 on the file of learned Judicial Magistrate No.8, Coimbatore, pending disposal of the above criminal revision.

For Petitioner(s) : Mr. D. Krishnamoorthy For Respondent(s) : Mr. R. Ganesh Kumar Government Advocate (Crl. Side) *****

COMMON ORDER

Heard Mr.D.Krishnamoorthy, learned Counsel for the Revision Petitioner and Mr.R.Ganesh Kumar, learned Government Advocate (Crl.Side), who accepts notice on behalf of the Respondent.

2. Criminal Miscellaneous Petitions have been filed praying to

suspend the sentence imposed upon petitioner by Judicial Magistrate No.8, Coimbatore, in C.C.No.24 of 2016, dated 15.06.2023, which was confirmed by III Additional District and Sessions Judge, Coimbatore in Crl.A.No.213 of 2023, dated 24.02.2026 and to exempt the petitioner from surrendering before the Court below.

3. Learned counsel for petitioner would submit that petitioner was convicted and sentenced by Judicial Magistrate No.8, Coimbatore in C.C.No.24 of 2016, dated 15.06.2023 for the following offences:

(i) to undergo Simple Imprisonment for a period of one year and to pay a fine of Rs.10,000/- for offence under Section 304(A) IPC, in default of payment, to undergo simple imprisonment for a period of two weeks.

(ii) to pay a fine of Rs.1,000/- for the offence under Section

279 IPC, in default of payment, to undergo Simple Imprisonment for a period of two weeks. 3.1. Aggrieved, petitioner filed Criminal Appeal No.213 of 2023 before III Additional District and Sessions Judge, Coimbatore and lower Appellate Court vide order dated 24.02.2026, dismissed the appeal by confirming the conviction and sentence imposed by the Trial Court. Aggrieved, petitioner filed present Criminal Revision Petition in CrI.RC.No.1074 of 2026 before this Court along with instant miscellaneous petition seeking suspension of sentence and exemption from surrender.

4. 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 to the petitioner and exempting the petitioner from surrendering before the Trial Court.

5. Learned Government Advocate (CrI. 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.

6. 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 heard 1, this Court is inclined to grant suspension of sentence and exempt the petitioner from surrendering before the trial Court, on the following conditions:

(i) Petitioner is directed to execute 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.8, Coimbatore;

(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.8, Coimbatore, on the first working day of every month at 10.30 a.m., until the disposal of revision;

(iv) In case, if petitioner is not able to appear before the trial Court on that day, he shall make arrangements to file an Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663

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.

7. Accordingly, these Criminal Miscellaneous Petitions are ordered. 27.05.2026 ()
stn Note :

1. Registry is directed to forthwith upload this

order in the Official Website of this Court.

2. All concerned to act on this order being uploaded in Official Website of this Court without insisting on certified hard copies. To be noted, this

order when uploaded in the official website of this

Court will be watermarked and will also have a QR code.

MOHAMMED SHAFFIQ, J.

stn To

1. The III Additional District Judge and Sessions Judge, Coimbatore.

2. The Judicial Magistrate No.8, Coimbatore.

3. The Public Prosecutor, High Court of Madras. CRL MP NOS.8575 and 8576 of 2026 in CRL RC No.1074 of 2026 27.05.2026 ()

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