



Crl.M.P. Nos. 1274 & 1275 of 2026
in
Crl.R.C. No. 192 of 2026

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 30.01.2026

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THE HONOURABLE MR. JUSTICE SUNDER MOHAN

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in
Crl.R.C. No. 192 of 2026

1.M/s.Sri Madhuram Sweet and Snacks,
Partnership firm, Rep. By its Managing Partner,
S.Subramanian.

2.Mr.S.Subramanian, S/o. Sellappan
Managing Partner,
Sri Madhuram Sweet and Snacks.

3.Mrs.Srinivasan Renuga
Partner, Sri Madhuram Sweet and Snacks.

..Petitioners

Vs.

Tmt.A.Senthilvadivu

..Respondent

Prayer in Crl.M.P.No.1274/2026:Criminal Miscellaneous Petition filed under Section 438(1) & 442 of Bharatiya Nagarik Suraksha Sanhita, 2023 to suspend the sentence imposed on the petitioners 2 and 3 in C.C.No.30 of 2018 dated 07.09.2023 on the file of the Hon'ble Judicial Magistrate Fast



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Track Court at Magisterial Level-II, Coimbatore, as confirmed in Crl.A.No.312 of 2023 dated 21.11.2025 on the file of the Hon'ble V Additional District and Sessions Judge at Coimbatore pending disposal of the above Criminal Revision Petition is the interest of Justice.

Prayer in Crl.M.P.No.1275/2026:Criminal Miscellaneous Petition filed under Section 528 of Bharatiya Nagarik Suraksha Sanhita, 2023 to exempt the petitioners 2 & 3 from surrendering in C.C.No.30 of 2018 dated 07.09.2023 on the file of the Hon'ble Judicial Magistrate Fast Track Court at Magisterial Level-II, Coimbatore, as confirmed in Crl.A.No.312 of 2023 dated 21.11.2025 on the file of the Hon'ble V Additional District and Sessions Judge at Coimbatore pending disposal of the above Criminal Revision Petition.

For Petitioner :: Mr.M.Ravikumar

O R D E R

The petitioner has preferred the above revision challenging the judgment dated 21.11.2025 passed by the learned V Additional District and



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Sessions Judge, Coimbatore in Crl.A.No.312 of 2023 confirming the judgment of the learned Magistrate convicting the petitioners 2 and 3 for the offence under Section 138 of the Negotiable Instruments Act, and sentencing them to undergo simple imprisonment for a period of six months and to pay a sum of Rs.15,00,000/- as compensation to the defacto complainant, in default, to undergo one month simple imprisonment. The instant petitions have been filed to suspend the sentence imposed on the petitioners 2 and 3 and to exempt the petitioners 2 and 3 from surrendering before the Trial Court, pending disposal of the above revision.

2. It is the case of the respondent that the petitioners 2 and 3 had issued a cheque for a sum of Rs.10,00,000/- towards discharge of liability; that when the said cheque was presented for collection, it was returned stating 'exceeds arrangement'; that in spite of the statutory notice, the petitioners 2 and 3 did not make the payment; and hence liable for the said offence.



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3. The learned counsel for the petitioners would submit that the petitioners have raised substantial grounds in the above revision; that the petitioners have rebutted the statutory presumption; that the judgment of the Courts below are liable to be set aside; and that, to show his bona fides, the petitioners are willing to deposit Rs.2,00,000/-.

4. Heard the learned counsel for the petitioners and perused the materials available on record.

5. Having regard to the submission made by the learned counsel for the petitioners that there are substantial grounds raised in the above revision which require consideration, and the fact that the petitioners 2 and 3 are willing to deposit Rs.2,00,000/-, this Court is inclined to suspend the sentence imposed on the petitioners 2 and 3 and exempt the petitioners 2 and 3 from surrendering before the Trial Court, subject to the following conditions:

(i) The petitioners 2 and 3/Accused shall deposit Rs.2,00,000/- to the credit of CC. No. 30 of 2018 on the file of



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learned Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore, within a period of four weeks from the date of receipt of a copy of this order;

(ii) On such deposit being made, the Trial Court shall redeposit the said amount in a Fixed Deposit Account, in any one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) Thereafter, the sentence of imprisonment alone imposed on the petitioners 2 and 3/Accused shall be suspended, on them executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Judicial Magistrate, Fast Track Court at Magisterial Level-II, Coimbatore;

(iv) The petitioners 2 and 3 and the sureties shall affix their photographs and Left Thumb Impression in the surety bond and the Trial Court may obtain a copy of their Aadhar card or Bank pass Book and mobile numbers to ensure their identity;



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(v) The petitioners 2 and 3 shall appear before the Trial Court on the first working day of every month at 10.30 a.m. until the disposal of the revision and if they are not able to appear before the Trial Court on any day, they shall make arrangements to file an application under Section 317 Cr.P.C., and shall appear before the Trial Court on any other day in lieu of the date of their absence, as directed by the Trial Court; and

(vi) On the failure of the petitioners 2 and 3/Accused, depositing the said amount, it is open to the Trial Court to commit the petitioners 2 and 3/accused into custody for undergoing the sentence.

6. Accordingly, these Criminal Miscellaneous Petitions are ordered.

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- To
1. The V Additional District and Sessions Judge,
Coimbatore.
 2. The Judicial Magistrate,
Fast Track Court at Magisterial Level-II,
Coimbatore.



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SUNDER MOHAN,J.

Tsg

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