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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **19.08.2026**

CORAM

THE HONOURABLE **MR.JUSTICE N.GUNASEKARAN**

CRl.MP(MD)No.17296 of 2026
in
Crl.RC(MD).No.1415 of 2026

V.Sivakumar ... Petitioner

vs.

P.Chinnanan ... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 438(1) of BNSS, 2023, to suspend the sentence imposed on the petitioner by the judgment dated 03.03.2026 passed in C.A.No.212 of 2024 on the file of the VI Additional District and Sessions Court, Madurai, Madurai District, confirming the judgment dated 21.12.2023 passed in S.T.C.No.178 of 2020 on the file of the Judicial Magistrate Court No.I (Fast Track), Madurai, Madurai and enlarge the petitioner on bail, pending disposal of the above Criminal Revision Petition.

For Petitioner : Mr.N.Pragalathan

For Respondent : Ms.P.Jessi Jeeva Priya

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O R D E R

Heard Mr.N.Pragalathan, learned Counsel for the Revision Petitioner and Ms.P.Jessi Jeeva Priya, learned Counsel for the Respondent.

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2. This Criminal Miscellaneous Petition has been filed to enlarge the petitioner on bail by suspending the sentence imposed upon him pursuant to the judgment dated 03.03.2026 passed in C.A.No.212 of 2024 on the file of the VI Additional District and Sessions Court, Madurai, Madurai District, confirming the judgment dated 21.12.2023 passed in S.T.C.No.178 of 2020 on the file of the Judicial Magistrate Court No.I (Fast Track), Madurai, Madurai.

3. Learned counsel for petitioner submits that petitioner was convicted by the learned Judicial Magistrate Court No.I (Fast Track), Madurai, Madurai for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.178 of 2020 dated 21.12.2023 and sentenced him to undergo simple imprisonment for a period of one year and to pay compensation of Rs.6,00,000/- (being twice the cheque amount of Rs.3,00,000/-) to the complainant, within a period of two months from the date of judgment, and, in default of payment of compensation, the accused shall undergo simple imprisonment for a period of two months.

4. Aggrieved, Petitioner filed Criminal Appeal in C.A.No.212 of 2024 on the file of the VI Additional District and Sessions Court, Madurai, Madurai District and the Appellate Court, by the judgment

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dated 03.03.2026 dismissed the appeal confirming the judgment passed by the Trial Court. Aggrieved, Petitioner filed Crl.R.C.(MD)No. 1415 of 2026 before this Court along with the present petition.

5. Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 30% of the cheque amount, before the Trial Court. The petitioner is ready to comply with all conditions imposed by this Court. Thus, he prays that this Court may grant suspension of sentence and bail to the petitioner.

6. Learned Counsel appearing for the Respondent has no objection to the prayer made by learned counsel for the Petitioner.

7. Considering the facts and circumstances of the case, the relief of suspension of sentence and bail is granted to the Petitioner, on the following conditions, till the disposal of above Criminal Revision:

i) Petitioner is directed to deposit 30% of cheque amount to the credit of S.T.C.No.178 of 2020 on the file of the Judicial Magistrate Court No.I (Fast Track), Madurai, Madurai, on or before **07.09.2026**, failing which the sentence suspended shall stand automatically

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vacated and the respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 30% of cheque amount directed in clause (i);

(iii) On such deposit, 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 Court No.I (Fast Track), Madurai, Madurai.

iv) 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;

v) Petitioner shall appear and sign before Judicial Magistrate Court No.I (Fast Track), Madurai, Madurai, on the first working day of every English calender month at 10.30 a.m., until the disposal of the revision;

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

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8. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

19.08.2026

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Note: Issue Order Copy on 19.08.2026.

To:

1.VI Additional District and Sessions Court, Madurai,
Madurai District,

2.The Judicial Magistrate Court No.I (Fast Track), Madurai, Madurai.

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

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N.GUNASEKARAN, J.

Nsr

Order made in
Crl.M.P.(MD)No.17296 of 2026

19.08.2026

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