



Crl.MP(MD)No.1395 of 2026

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: **21.08.2026**

CORAM

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

CRL.MP(MD)No.1395 of 2026

in

Crl.RC(MD).No.108 of 2026

S.Sathyamoorthy

... Petitioner

vs.

R.Palanisamy

... 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 08.07.2025 passed in C.A.No.153 of 2023 on the file of the learned District and Sessions Judge, Karur, confirming the judgment dated 20.07.2023 passed in C.C.No.878 of 2017 on the file of the Judicial Magistrate (FTC), Karur and pending disposal of the above Criminal Revision Petition.

For Petitioner : Mr.A.Joseph Jerry

ORDER

Mr.A.Joseph Jerry, learned Counsel for the Revision Petitioner was heard. In spite of notice, there is no representation 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 08.07.2025 passed in C.A.No.153 of 2023 on the file of the learned District and Sessions Judge, Karur, confirming the judgment dated 20.07.2023 passed in C.C.No.878 of 2017 on the file of the learned Judicial Magistrate (FTC), Karur.

3. Learned counsel for petitioner submits that petitioner was convicted by the learned Judicial Magistrate (FTC), Karur, for offence under Section 138 of the Negotiable Instruments Act in C.C.No.878 of 2017 dated 20.07.2023 and sentenced him to undergo a simple imprisonment for a period of one year and to pay the cheque amount to the tune of Rs.1,80,000/- as compensation to the complainant, and, in default of payment of compensation, the accused shall undergo simple imprisonment for a period of one month.

4. Aggrieved, Petitioner filed Criminal Appeal in C.A.No.153 of 2023 on the file of the learned District and Sessions Judge, Karur and the Appellate Court, by the judgment dated 08.07.2025 dismissed the appeal confirming the judgment passed by the Trial Court. Aggrieved, Petitioner filed Crl.R.C.(MD)No.108 of 2026 before this Court along with the present petition.



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5. Learned Counsel for petitioner submits that the petitioner has been detained in the Central Prison, Trichy, since 11.08.2026. He further submits that the petitioner has already paid a sum of Rs.45,000/- to the credit of C.C.No.878 of 2017 on the file of the learned Judicial Magistrate, Fast Track Court, Karur, on 21.09.2023 and that the petitioner has raised substantial grounds in the above revision, which require consideration. He would further submit that, to show his bona fides, the petitioner is now willing to deposit 20% of the cheque amount before the Trial Court. The petitioner is ready to comply with all the conditions imposed by this Court. Thus, he prays that this Court may grant suspension of sentence and bail to the petitioner.

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

i) Petitioner is directed to deposit 20% of cheque amount to the credit of C.C.No.878 of 2017 on the file of the learned Judicial Magistrate (FTC), Karur, on or before **31.08.2026**, failing which the sentence suspended shall stand automatically vacated and the



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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 20% 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 the learned Judicial Magistrate (FTC), Karur.

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 the learned Judicial Magistrate (FTC), Karur, 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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7. Accordingly, this Criminal Miscellaneous Petition is **ordered**.

21.08.2026

Nsr

Note: (i) Issue Order Copy on 21.08.2026.

(ii) Registry is directed to mark a copy of this order to the Central Prison, Trichy, forthwith.

To:

- 1.The District and Sessions Judge, Karur.
- 2.The Judicial Magistrate (FTC), Karur.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court, Madurai.

Copy To:

The Central Prison,
Trichy.



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N.GUNASEKARAN, J.

Nsr

Order made in
Crl.M.P.(MD)No.1395 of 2026

21.08.2026