



CRL MP NO. 2341 of 2024



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 28-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 2341 of 2024 IN CRL RC NO. 251 OF 2024

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N.Pattabi

S/o. Mr.Narayanan, No.42/22, Vanchinathan Main Road,
Perambur, Chennai - 600 011.

Petitioner(s)

Vs

M/s.Sree Guruvayurappan Chit Funds Pvt Ltd.,
No.10 and 11, Umpherson Street, 2nd Floor, Chennai 600 108.
Rep.by their Power Agent, N.Sivadoss

Respondent(s)

Prayer: This Criminal Revision is filed to suspend the sentence imposed on the petitioner herein by the learned Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai made in C.C.No.1220 of 2015 dated 19.05.2023 which was confirmed by the XXIII Additional City Civil Judge, Chennai made in Crl.A.No.303 of 2023 dated 03.11.2023.

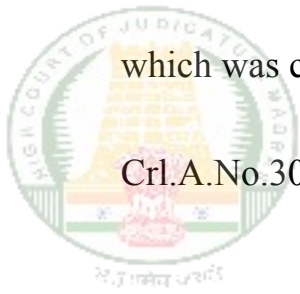
For Petitioner(s):

M/s.P.Babu
S. Shanmuga Velayutham

For Respondent(s): Mr.Dinu Prasanth, Legal Aid Counsel

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed on the petitioner herein by the learned Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai made in C.C.No.1220 of 2015 dated 19.05.2023



which was confirmed by the XXIII Additional City Civil Judge, Chennai made i



Crl.A.No.303 of 2023 dated 03.11.2023.

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2. The petitioner herein is the accused in C.C. No.1220 of 2015 on the file of the learned Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai. He was found guilty of the offence under Sections 255(2) of Cr.P.C for the offence u/s 138 of Negotiable Instruments Act, 1881. The accused is convicted and sentenced to undergo a simple imprisonment of 3 months and the accused is hereby sentenced to pay a compensation of Rs.4,91,838/- to the complainant u/s 357(3) of Cr.P.C r/w Section 138 of Negotiable Instrument Act,1881. Aggrieved by the same, the petitioner filed an appeal in Crl.A.No.303 of 2023, and by order dated 03.11.2023, the learned XXIII Additional City Civil Court, Chennai, dismissed the appeal, thereby confirming the judgment and sentence imposed by the trial Court. Hence, the present revision has been filed.

3.The learned counsel for the petitioner/accused submitted that he is having a valid defence available in the Criminal revision and the petitioner/accused has a fair chance of succeeding in the Criminal revision and hence, the substantive sentence imposed



against the petitioner/accused may be suspended. He also submitted that the petitioner is ready to abide the condition imposed by this Court.

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4. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, further this Criminal revision is not likely to be taken for final hearing in the near future, this Court is of the view that the substantive sentence of imprisonment alone can be suspended on certain conditions. Accordingly, till the disposal of the Criminal revision, the reliefs of suspension of sentence and bail are granted on the following conditions:

- (a) the petitioner is directed to deposit a sum of Rs.1,50,000/- (Rupees One Lakh and fifty thousand only), to the credit of C.C. No.1220 of 2015 on the file of the learned Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai., within a period of four weeks from the date of receipt of a copy of this order.
- (b) the petitioner/accused is ordered to be released on bail, on executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties each for a like sum to the satisfaction of the learned Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai.
- (c) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhar Cards or Bank Pass Books to ensure their identities.



(d) The petitioner shall appear before the Trial Court on every Saturday at 10 a.m., until the disposal of the Criminal revision and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 of BNSS, 2023, 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.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in C.C. No.1220 of 2015 on the file of the learned Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai on proper identification, in the manner known to law.

5. With the above directions, this Criminal Miscellaneous Petition is ordered.

28-10-2025

To

1. The Metropolitan Magistrate, Fast Track No.IV at George Town, Chennai

2. The XXIII Additional City Civil Judge, Chennai

3. The Public Prosecutor, High Court, Madras

T.V.THAMILSELVI, J.



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