



WEB COPY



Crl.M.P No.11660 of 2025 in
Crl.R.C.No.854 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 20.06.2025

CORAM:

THE HON'BLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.11660 of 2025
in
Crl.R.C.No. 854 of 2025

M. Ravichandran

... Petitioner

Versus

1.Usha Marudhu Aqua Farm
It's Proprietors
Maruthupandiayan
Mage Aged 52 years.
Thambikottai – Keezhakadu,
Thiruthuraipoondi Taluk.

2. Usha Marudhu

... Respondents

PRAYER: Criminal Miscellaneous Petition filed under Section 438 r/w 442 of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence passed against the petitioner by the learned Principal Sessions Judge, Tiruvarur in C.A.No.18 of 2024 on 03.02.2025 confirming the Judgment of conviction and sentence passed by the learned Fast Track Judicial Magistrate Court Thiruthuraipoondi in STC.No.150 of 2017 dated 30.05.2024 pending disposal of the above Criminal revision.

For Petitioner : Mr. M. Jaikumar



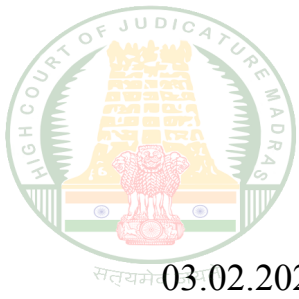
Crl.M.P No.11660 of 2025 in
Crl.R.C.No.854 of 2025

ORDER

WEB COPY

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Fast Track Judicial Magistrate Court Thiruthuraipoondi in S.T.C No. 150 of 2017 dated 30.05.2024, which was confirmed by the learned Principal Sessions Judge, Tiruvarur in C.A.No.18 of 2024, dated 03.02.2025, and to enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner is the accused in S.T.C No.150 of 2017 on the file of the learned Fast Track Judicial Magistrate Court Thiruthuraipoondi. He was found guilty of the offence under Section 138 of the Negotiable Instruments Act, 1881, and he has been convicted and sentenced to undergo simple imprisonment for a period of two years and awarded to pay the cheque amount of Rs.14,00,000/- along with interest at the rate of 9% per annum within two months from the date of judgment, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for further period of six months as default sentence. Aggrieved by the same, the petitioner had filed an appeal in C.A No.18 of 2024 before the Principal District and Sessions Court, Thiruvarur, and the learned Principal District and Sessions Judge, by order dated



Crl.M.P No.11660 of 2025 in
Crl.R.C.No.854 of 2025

WEB COPY

03.02.2025, had dismissed the said appeal, confirming the judgment and sentence imposed by the Trial Court. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.

4. Heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner and taking into consideration the fact that 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



Crl.M.P No.11660 of 2025 in
Crl.R.C.No.854 of 2025

WEB COPY

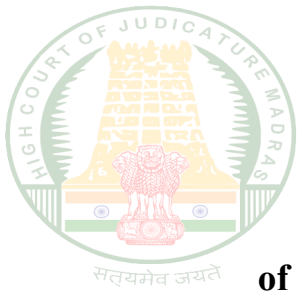
certain conditions. Accordingly, till the disposal of the Criminal Revision Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(i) the petitioner shall deposit the entire cheque amount, i.e. Rs.14,00,000/- (Rupees Fourteen Lakhs only), after deducting the amount which was already deposited by the petitioner, if any, to the credit of STC.No.150 of 2017 on the file of learned Fast Track Judicial Magistrate Court, Thiruthuraipoondi, within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the Trial Court shall re-deposit 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) On the failure of the petitioner/accused depositing the above said amount, it is open to the Trial Court to commit the petitioner/accused into custody for undergoing the sentence.

(iv) On the petitioner depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution



Crl.M.P No.11660 of 2025 in
Crl.R.C.No.854 of 2025

WEB COPY

**of a bond for a sum of Rs.25,000/- with two sureties, each for a
likesum to the satisfaction of the Trial Court;**

(v) The petitioner 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;

(vi) The petitioner shall appear before the Trial Court on the first working day of every English Calendar month at 10:30 A.M., until the disposal of the revision petition 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;

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

**20.06.2025
(2/3)**

Index : Yes/No
Neutral citation : Yes/No
Speaking/non-speaking order
klt

G.K.ILANTHIRAIYAN, J.



WEB COPY



Crl.M.P No.11660 of 2025 in
Crl.R.C.No.854 of 2025

klr

To

1. The Principal Sessions Court, Thiruvarur.
2. The learned Fast Track Judicial Magistrate Court, Thiruthuraipoondi.

Crl.M.P.No.11660 of 2025
in
Crl.R.C.No.854 of 2025

20.06.2025
(2/3)