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Crl.M.P No.10463 of 2025 in
Crl.R.C.No.690 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.06.2025

CORAM:

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

Crl.M.P.No.10463 of 2025
in
Crl.R.C.No. 690 of 2025

J.Ravi

.... Petitioner

Vs

Anandan

.... Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 430(1) r/w 483 of Bharatiya Nagarik Suraksha Sanhita, 2023, to suspend the sentence imposed on the petitioner in Crl.A.No.1 of 2024 by the learned Additional Sessions Judge, Krishnagiri, Krishnagiri District dated 10.02.2025 by modifying the judgment and sentence passed by the learned Judicial Magistrate No.I, Krishnagiri, Krishnagiri District in S.T.C. No.338 of 2018 dated 14.09.2023 and enlarge the petitioner on bail pending disposal of the Crl.R.C No.690 of 2025.

For Petitioner : Mr.E.Kannadasan

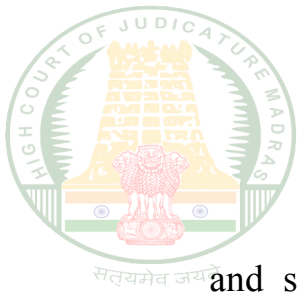


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ORDER

WEB COPY This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned Additional Sessions Judge, Krishnagiri, Krishnagiri District in Crl.A.No.1 of 2024 dated 10.02.2025, modifying the Judgment dated 14.09.2023 passed in S.T.C.No.338 of 2018 by the learned Judicial Magistrate No.I, Krishnagiri, Krishnagiri District and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in S.T.C.No.338 of 2028 on the file of the learned Judicial Magistrate No.I, Krishnagiri, Krishnagiri District. He was found guilty of the offence under Section 138 of the Negotiable Instruments Act and he has been convicted and sentenced to undergo simple imprisonment for a period of six months and to pay a compensation of Rs.12,00,000/- to the complainant under Section 357 Cr.P.C , in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of one month as default sentence. Aggrieved by the same, the petitioner had filed appeal in Crl.A No.1 of 2024 and the learned Additional Sessions Judge, Chennai, by order dated 10.02.2025 had partly allowed the above appeal modifying the judgment



Crl.M.P No.10463 of 2025 in
Crl.R.C.No.690 of 2025

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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 the condition imposed by this Court.

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

5. Considering the fact that the petitioner has raised substantial grounds in the above revision, which requires consideration, this Court is inclined to grant suspension of sentence, on the following conditions, till the disposal of the above Criminal Revision:

(i) The petitioner is ordered to be enlarged on bail, on



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Crl.M.P No.10463 of 2025 in
Crl.R.C.No.690 of 2025

condition that the petitioner shall deposit the entire cheque amount, i.e. Rs.6,00,000/- (Rupees six lakhs only), after deducting the amount which was already deposited by the petitioner, if any, to the credit of STC.No.338 of 2018 on the file of learned Judicial Magistrate No.I, Krishnagiri, Krishnagiri District, within a period of four weeks from today.

(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 petitioner/accused shall be suspended, on his executing a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;

(iv) 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;

(v) The petitioner shall appear before the Trial Court



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Crl.M.P No.10463 of 2025 in
Crl.R.C.No.690 of 2025

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;

(vi) 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.

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

09.06.2025
(3/3)

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

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WEB COPY



Crl.M.P No.10463 of 2025 in
Crl.R.C.No.690 of 2025

G.K.ILANTHIRAIYAN, J.

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To

1. The Additional Sessions Judge, Krishnagiri, Krishnagiri District
2. The Judicial Magistrate No.I, Krishnagiri, Krishnagiri District.

Crl.M.P.No.10463 of 2025
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(3/3)