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CRL MP No. 10314 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 10314 & 10316 of 2025

IN

CRL RC NO. 645 OF 2025

M/s.L.S.P.Agro Ltd
Rep.by its Managing Director,
Mr.B.S.Krishnan, 298-B,
Suramangalam Main Road, Salem-636
009.
2. B.S. Krishnan

Petitioner(s)

Vs

M/s.Agate Finance Limited
No.46, Ramakrishnan Street, T.Nagar,
Chennai, Represented by Collection
Officer Mr.Ayub.

Respondent(s)

For Petitioner(s): V. Manohar
R.Rajeshkrishnan
S.Pavithrashini
Prathik Y Jain

For Respondent:

**ORDER**

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This petition has been filed to suspend the sentence imposed on the 2nd revision petitioner in CC No.4489/2002 in an order dated 31.01.2023 by Learned Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai being confirmed in Crl.A.No.115/2023 on the file of the Principal Sessions Judge, Chennai and enlarge the 2nd revision petitioner on bail pending disposal of the revision and to exempt the petitioner from surrendering pursuant to the judgment dated 31.01.2023 in CC No.4489/2002 passed by Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai, confirmed in judgment dated 21.04.2025 in Crl.A.No.115/2023 passed Principal Sessions Judge, Chennai pending disposal of the said Criminal Revision.

2. The petitioner herein is the accused in **CC No. 4489 of 2002** on the file of the learned Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai,. 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 one year . Aggrieved by the same,



the petitioner had filed an appeal in **Crl.A No.115 of 2023** and the Principal

Sessions Judge had dismissed the above 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 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 petitioners shall deposit a sum of **Rs.2,00,000/-** to the credit of **CC No. 4489 of 2002 on the file of Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai**, within a period of four weeks from the date of receipt of a copy of this order. Failing which, the order passed by this Court shall stand automatically cancelled.

(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) 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 petitioners depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioner/accused, shall be suspended, on his execution of a bond for a sum of Rs.25,000/- with two sureties, each for a likesum to the satisfaction of the trial court;



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(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 petitioners 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 Crl MP. No. 10314 of 2025 is ordered and CrlMP. No. 10316 of 2025 is closed.

26-09-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Principal Sessions Judge, Chennai.

2. The Metropolitan Magistrate, FTC-I, Egmore @ Allikulam, Chennai



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T.V.THAMILSELVI J.
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