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CRL MP NO.12253 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 04-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 12253 of 2024

IN

CRL RC NO. 1456 OF 2024

T.Ramadoss
S/o.Thambusamy

Petitioner(s)

Vs

S.Rajaram
S/o.Subramaniyan

Respondent(s)

PRAYER: Civil Miscellaneous petition filed under Section 438(1) & 483 of Bharatiya Nagarik Suraksha Sanhita, praying to suspend the sentence imposed on him in judgement dated 08.07.2024 made in Criminal Appeal No.10 of 2024 passed by the learned Principal District Sessions Judge, Kallakurichi by confirming the judgement dated 19.04.2023 passed by the learned Judicial Magistrate No.I, Ulundurpet in C.C.No.12 of 2011 and enlarge the petitioner on bail pending disposal of this Criminal Revision Petition.

For Petitioner(s):

R.Ravitha

For Respondent(s):

Dr.C.E.Pratap

Government Advocate (Crl.Side)

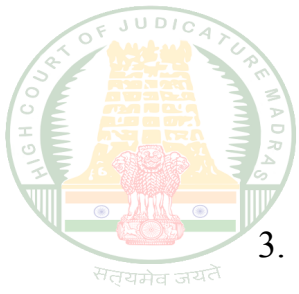


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ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of the sentence imposed by the learned Principal District Sessions Judge, Kallakurichi, in CrI.A.No.10 of 2024, dated 08.07.2024, confirming the Judgment dated 19.04.2023 passed in C.C No. 12 of 2011 by the learned Judicial Magistrate No.I, Ulundurpet and to enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C No. 12 of 2011 on the file of the learned Judicial Magistrate No.I, Ulundurpet. The appellant was found guilty of the offence under Sections 138 of Negotiable Instrument Act. The accused was convicted and sentenced to undergo one year simple imprisonment and directed to pay a compensation sum of Rs.2,25,000/-, in C.C.NO.12 of 2011. Aggrieved by the same, the petitioner filed an appeal in CrI.A No.10 of 2024, and by order dated 08.07.2024, the learned Principal District Sessions Judge, Kallakurichi, dismissed the appeal, thereby confirming the judgment and sentence imposed by the trial Court. Hence, the present revision has been filed.



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

4. Heard the learned counsel appearing for the appellant / petitioner, the learned Government Advocate (Crl.Side) appearing for the respondent and also perused the materials placed on record.

5. Considering the submissions made by both counsels, coupled with the quantum of punishment imposed upon the petitioner, and taking into account the fact that this Criminal Revision is not likely to be taken up 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.

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



(i) the appellant is directed to be enlarged on bail, on

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condition that he shall execute 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 Judicial Magistrate, Ulundurpet. Further, the appellant shall appear before the said Court at 10.30 a.m. on the first working day of every English Calendar month, pending disposal of the Criminal Revision petition.

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

04.09.2025

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

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To
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1. The Principal District Sessions Judge, Kallakurichi.
2. The Judicial Magistrate No.I, Ulundurpet.
3. The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI, J.
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