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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 21291 OF 2025, CRL MP NO. 21292 OF 2025 IN
CRL RC No. 2354 of 2025**

1. D.Kumar
S/o.Devaraj, Amman Nagar,
S.Pallipattu Village, Adhiyur Post,
Tirupathur Town, Tirupathur District.

Petitioner(s)

Vs

1. R.Karunakaran
S/o.Palani, S.Pallipattu Village,
Adhiyur, Post, Tirupathur Town,
Tirupathur District.

Respondent(s)

CRL MP No. 21291 of 2025

PRAYER

To suspend the sentence imposed on the petitioner in C.A.No.75/2022 judgment passed by the Learned the Principal District and Session Judge, Tirupathur dated 05.03.2025 as confirmed by the Judgment passed by the Learned Judicial Magistrate No.1, Tirupathur in STC No.578/2019 dated 21.04.2022, and enlarge the petitioner on bail pending disposal of the above Criminal Revision.



CRL MP No. 21292 of 2025

PRAYER

To exemption from surrender the petitioner in C.A.No.75/2022 judgment passed by the Learned the Principal District and Session Judge, Tirupathur dated 05.03.2025 as confirmed by the Judgment passed by the Learned Judicial Magistrate No.1, Tirupathur in STC No.578/2019 dated 21.04.2022, pending disposal of the above Criminal Revision.

CRL RC No. 2354 of 2025

For Petitioner(s): R.Parthiban
R.Rajadurai
M.Shimiyon Edwin

For Respondent:

ORDER

These petitions have been filed to suspend the sentence imposed on the petitioner in C.A.No.75/2022 judgment passed by the Learned the Principal District and Session Judge, Tirupathur dated 05.03.2025 as confirmed by the Judgment passed by the Learned Judicial Magistrate No.1, Tirupathur in STC No.578/2019 dated 21.04.2022, and enlarge the petitioner on bail pending disposal of the above Criminal Revision and for exemption from surrendering before the Court.

2. The petitioner herein is the accused in **STC No. 578/2019** on the **file of the learned Judicial Magistrate No.1, Tirupathur.** 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** and awarded to pay a compensation of **Rs.4,00,000/-**, in

default of payment of compensation, the petitioner shall undergo a simple

imprisonment for a period of **4 months** as default sentence. Aggrieved by the

same, the petitioner had filed an appeal in **C.A.No.75/2022** and the learned

Principal District and Session Judge, Tirupathur, 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 petitioner shall deposit a sum of **Rs.1,50,000/-** to the credit of **STC No. 578/2019** on the file of the learned **Judicial Magistrate No.1, Tirupathur**, within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.



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(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 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 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



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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.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Principal District and Session Judge, Tirupathur.
2. The learned Judicial Magistrate No.1, Tirupathur



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T.V.THAMILSELVI J.

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**CRL RC No. 2354 of
2025
AND CRL MP NO.
21291 OF 2025,CRL MP
NO. 21292 OF 2025**

12-11-2025