



Crl.M.P.No.16161 of 2025 in Crl.R.C.No.1559 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26.08.2025

CORAM:

THE HONOURABLE MR.JUSTICE **G.K.ILANTHIRAIYAN**

Crl.M.P.No.16161 of 2025

in

Crl.R.C.No.1559 of 2025

1.M/s.Universe Textile Inc.
rep by its Partner R.Senthilnathan,
Having office at No.6(6), PVG Nagar,
Valayangadu West, Tiruppur – 641 603.

2.R.Senthilnathan

3.S.Shalini

... Petitioners

Vs

V.Kanagaraj

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of the Bharatiya Nagarik Suraksha Sanhita, 2023, to give exemption to the petitioners from surrendering before the learned Judicial Magistrate (Fast Track), Tiruppur in execution of the sentence passed by the learned Judicial Magistrate (Fast Track), Tiruppur in STC No.874 of 2020 and confirmed by the learned I Additional District and Sessions Judge, Tiruppur in Crl.A.No.312 of 2023.

For Petitioners : Mr.H.Thameen Ansari



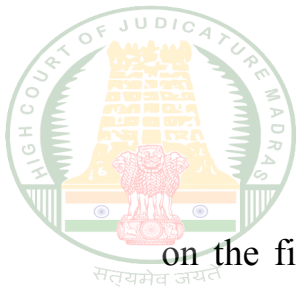
ORDER

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This Criminal Miscellaneous Petition has been filed to exempt the petitioners from surrendering before the Lower Court in pursuant to the Judgment dated 01.08.2025 made in Crl.A.No.312 of 2023 passed by the I Additional District and Sessions Judge, Tiruppur, thereby confirming the Judgment of the Trial Court dated 02.12.2023 in STC No.874 of 2020 passed by learned Judicial Magistrate (Fast Track), Tiruppur.

2. Heard the learned counsel for the petitioners and perused the materials available on record.

3. The petitioners are accused in the complaint lodged by the respondent for the offence punishable under Section 138 of the Negotiable Instruments Act in STC No.874 of 2020, on the file of the learned Judicial Magistrate (Fast Track), Tiruppur. After full-fledged trial, the Trial Court convicted the petitioners for the offence punishable under Section 138 of Negotiable Instruments Act and sentenced to undergo six months simple imprisonment and to pay a compensation of Rs.15,00,000/- to the complainant within one month. In default to undergo simple imprisonment for one month. Aggrieved by same, the petitioner preferred an appeal in Crl.A.No.312 of 2023



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on the file of the I Additional District and Sessions Judge, Tiruppur, and the same was dismissed, confirming the sentence imposed by the Trial Court. Aggrieved by the same, the petitioners preferred revision before this Court along with this application to exempt him from surrendering before the Trial Court.

4. Both the Trial Court as well as Appellate Court convicted the petitioners for the offence under Section 138 of the Negotiable Instruments Act. Without surrendering before the Trial Court, the petitioners filed this petition seeking exemption from surrender. Therefore, the petitioners failed to make out a prima facie case for granting exemption and this Court is not inclined to entertain this petition seeking exemption from surrender before the lower court.

5. Accordingly, this Criminal Miscellaneous Petition is dismissed.

26.08.2025
(1/2)

sli
Internet: Yes
Index: Yes/No
Speaking/Non speaking order

G.K.ILANTHIRAIYAN. J.



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To

- 1.The Judicial Magistrate (Fast Track) Court,
Tiruppur.
2. The I Additional District and Sessions Court,
Tiruppur.

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in Crl.R.C.No.1559 of 2025

26.08.2025
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