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CRL MP No.18517 of 2



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09.10.2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP Nos. 18517 & 18519 of 2025

IN

CRL RC NO. 1925 OF 2025

Krishnaveni

Petitioner(s)

Vs

S. Ramesh

Respondent(s)

PRAYER: Criminal Miscellaneous Petition filed under Section 438 (1) of BNSS Act 2023 to suspend the sentence passed in Crl.A.No.103 of 2023 vide judgement dated 28.03.2025 on the file of the Additional District Judge (Fast Track Court), Mettur confirming the judgment dated 11.04.2019 made in S.T.C.No.1697 of 2019 on the file of the Judicial Magistrate Court No.1, Mettur.

For Petitioner(s): Mr.C.Prabakaran

COMMON ORDER

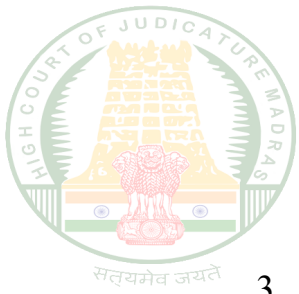
These Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence passed in Crl.A.No.103 of 2023 vide judgement dated



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28.03.2025 on the file of the Additional District Judge, Fast Track Court, Mettur confirming the judgement passed in STC.No.1697 of 2019 dated 11.04.2019 on the file of the Judicial Magistrate Court No.1, Mettur vide order dated 11.04.2019 and to exempt the petitioner from surrendering, pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in STC.No.1697 of 2019 on the file of the Judicial Magistrate Court No.1, Mettur. He was found guilty of the offence under Sections 138 of Negotiable Instrument Act and the accused is convicted and sentence to undergo one year simple imprisonment under Section 255 (2) of Cr.P.C. and directed to pay the cheque amount of Rs.8,00,000/- to the complainant under Section 357 of Cr.P.C within 30 days, in default, the accused shall undergo 3 months simple imprisonment. Aggrieved by the same, the petitioner filed an appeal in Crl.A No.103 of 2023, and by order dated 28.03.2025 on the file of the Additional District Judge, Fast Track Court, Mettur 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 petitioner/accused submitted that he is having a valid defence available in the Criminal revision and the petitioner/accused has a fair chance of succeeding in the Criminal revision and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He also submitted that the petitioner is ready to abide the condition imposed by this Court.

4. Considering the facts and circumstances of the case coupled with the quantum of punishment imposed upon the petitioner, also by considering the submissions of the learned counsel for the petitioner, further 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, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner is directed to deposit a sum of **Rs.2,00,000/- (Rupees Two Lakhs only)**, to the credit of



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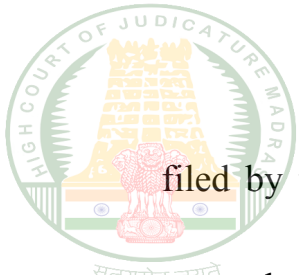
STC.No.1697 of 2019, on the file of the Judicial Magistrate Court No.1, Mettur, within a period of three weeks from the date of receipt of a copy of this order. Complainant is permitted to withdraw.

(b) the petitioner/accused is ordered to be released on bail, on executing 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 Court No.1, Mettur.

(c) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the Magistrate may obtain a copy of their Aadhar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal revision 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.

5. With the above directions, the suspension of sentence filed by the petitioner in Crl.M.P.No.18517 of 2025 is ordered. Consequently, the petition



filed by the petitioner in Crl.M.P.No.18519 of 2025 seeking exemption from
surrendering before the trial Court is closed accordingly.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

To

1.The Judicial Magistrate Court No.1,
Mettur

2.The learned Additional District Judge
(Fast Track Court),
Mettur.

3.The Public Prosecutor,
High Court of Madras.



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T.V.THAMILSELVI J.

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