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CRL MP No. 17222 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

**DATED: 17-09-2025**

CORAM

**THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI**

**CRL MP No. 17222 of 2025**

**IN**

**CRL RC NO. 1688 OF 2025**

Kowsalya

W/o.Ponnusamy, No.3/524K, SAP  
Nagar, Kuppusamynaidupuram,  
Lakshmi Mills, Semipalayam Village,  
Palladam Taluk, Tiruppur District.

Petitioner(s)

Vs

A.Saraswathi

W/o.Arumuga Gounder, No.22B/161,  
2nd Street, Nataraja Layout, Union  
Mills Back Side, Anuperpalayam, 15-  
Velampalayam Post, Tiruppur-641 652.

Respondent(s)

For Petitioner(s): N.Ponraj

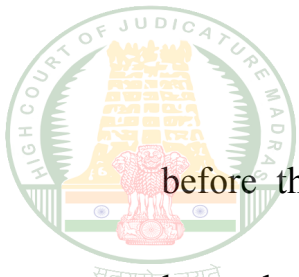


## **ORDER**

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The Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imprisonment imposed on the petitioner in the judgement dated 14.03.2025 made in C.A.No.109 of 2023 on the file of No.I, Additional District and Sessions Judge, Tiruppur, confirming the judgement dated 21.02.2023 made in STC No.628 of 2019 on the file of the Judicial Magistrate, Palladam and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

2. The petitioner herein is the accused in S.T.C.No.628 of 2019 on the file of the Judicial Magistrate Court, Palladam. He was found guilty of the offence under Sections 138 of the Negotiable Instruments Act and was convicted under Section 255(2) Cr.P.C. and sentenced to undergo 6 months simple imprisonment for the offence under Section 138 of Negotiable Instruments act and to pay the cheque amount of Rs.6,40,000/- to the complainant under Section 357(3) Cr.P.C. and in default, to undergo simple imprisonment for one month. Aggrieved by the same, the petitioner had filed appeal in Crl.A.No.109 of 2023



before the learned I Additional District and Sessions Judge, Tiruppur. The

learned trial Judge had dismissed the appeal and confirmed the conviction and

sentence, against which 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. Further it is his specific submission that the petitioner was enlarged on bail during the time of pendency of the appeal before the first appellate Court. He would submit 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

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Revision Case, 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 STC.No.628 of 2019, on the file of the Judicial Magistrate, Palladam, without prejudice his defence, within a period of four weeks from the date of receipt of a copy of this order.

(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, Palladam.

(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 Aadhaar Cards or Bank Pass Books to ensure their identities.

(d) 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 Criminal 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.

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

6. For reporting compliance, post the case on 03.11.2025.

**17-09-2025**

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To  
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1.A.Saraswathi

W/o.Arumuga Gounder, No.22B/161,  
2nd Street, Nataraja Layout, Union  
Mills Back Side, Anuperpalayam, 15-  
Velampalayam Post, Tiruppur-641 652.

2.The Judicial Magistrate, Palladam.

3.The I Additional District and Sessions  
Judge, Tiruppur.

4.The Public Prosecutor,  
High Court of Madras.



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**T.V.THAMILSELVI J.**  
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