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CRL MP No. 18269 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-09-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18269 of 2025

IN

CRL RC NO. 1867 OF 2025

A.J.Asana Maraicar
S/o Abdul Jabbar, Old Door No.41,
New Door No.50, Duplex Street,
Karaikal.

Petitioner(s)

Vs

BALAGOUROU
S/o. Varatharajan, No.40, Market Street,
T.R.Pattinam, Karaikal.

Respondent(s)

PRAYER: To suspend the sentence imposed by the learned Sessions Judge, Karaikal in Judgement and order of conviction dated 03.09.2025 in Crl.A.No.9 of 2024 confirming the sentence passed in STC.NO.501 of 2022 by Judicial Magistrate-II at Karaikal, dated 05.03.2024 and enlarge the petitioner on bail.

For Petitioner(s): R.C.Paul Kanagaraj

For Respondent:



ORDER

WEB COPY This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed by the learned Sessions Judge, Karaikal in Judgement and order of conviction dated 03.09.2025 in CrI.A.No.9 of 2024 confirming the sentence passed in STC.NO.501 of 2022 by Judicial Magistrate-II at Karaikal, dated 05.03.2024 and enlarge the petitioner on bail.

2. The petitioner herein is the accused in STC.No.501 of 2022 on the file of the learned Judicial Magistrate I, Karaikal. He was found guilty of the offence under Sections 138 of Negotiable Instrument Act and thereby convicted the accused under Section 255(2) of Cr.P.C. The accused shall undergo the sentence of one year simple imprisonment. Further, the accused is directed to pay Rs.30,00,000/- (Rupees Thirty Lakh only) as a compensation under Section 357(3) Cr.P.C. to the complainant within two months, in default the accused shall undergo two months simple imprisonment. Aggrieved by the same, the petitioner filed an appeal in CrI.A No.09 of 2024, and by order dated 03.09.2025, the learned Sessions Judge, Karaikal, dismissed the appeal, thereby



confirming the judgment and sentence imposed by the trial Court. Hence, the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that the petitioner has already deposited a sum of Rs.3,00,000/-, on 25.11.2024, and also 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 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



revision, the reliefs of suspension of sentence and bail are granted on the

following conditions:

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(a) the petitioner is directed to deposit a sum of Rs.4,00,000/- (Rupees Four Lakhs only), to the credit of STC.NO.501 of 2022, on the file of the Judicial Magistrate-II, Karaikal, 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-I, Karaikal.

(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.



(e) the defacto complainant is permitted to withdraw the amount deposited by the petitioner in STC.No.501 of 2022, on the file of the Judicial Magistrate -II, Karaikal, on proper identification, in the manner known to law.

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

26-09-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To
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- 1.The Sessions Judge, Karaikal.
- 2.The Judicial Magistrate-II, Karaikal.
- 3.The Judicial Magistrate-I, Karaikal.
- 4.The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI J.
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