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CRL MP No. 18460 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 06-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18460 of 2025

IN

CRL RC NO. 1912 OF 2025

1. Nagaraj KRN
S/o. Natarajan, B-4, Door No.2, 3rd Lane, North
Boag Road, T. Nagar, Chennai-600 017. and another

2. E. Band Tech,
Rep. by its CEO and Authorised Signatory,
Mr. Nagaraj KRN,
Kasi Arcade, IV Floor, 116/3, Thyagaraya Road,
T. Nagar, Chennai-600 017.

Petitioner(s)

Vs

G.Velayudham,
S/o. Govindasamy, Mel Mampattu, Panrutti Taluk,
Cuddalore District-607 103.

Power of Attorney of N. Rajendran, S/o. P.
Natarajan, Keel Vadakuthu, Kurinjipalayam Taluk,
Cuddalore District.

Respondent(s)

**PRAYER**

To Suspend the Sentence of Conviction passed by the Learned MM, FTC-III, Saidapet , Chennai in CC.No.599/2017 dated 16.05.2023 and confirmed in CA.No.329/2023 dated 09.09.2025 by the VI Additional Sessions Judge, City Civil Court, Chennai pending disposal of the above Criminal Revision petition.

For Petitioner(s): Mr. S.Saravanan

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioners, seeking suspension of sentence imposed by the learned Metropolitan Magistrate Fast Track Court-III, Saidapet, Chennai, in C.C.No. 599 of 2017 dated 16.05.2023 and confirmed in C.A.No.329 of 2023, dated 09.09.2025 by the learned VI Addl. Sessions Judge, City Civil Court, Chennai and enlarge the petitioners on bail pending disposal of the above Criminal Revision.

2. The petitioners herein are the accused in C.C No. 599 of 2017 on the file of the learned Metropolitan Magistrate Fast Track Court-III, Saidapet, Chennai. They were found guilty of the offence under Section 138 of the Negotiable Instruments Act and the petitioner have been convicted. The 2nd petitioner has been sentenced to undergo simple imprisonment for a period of six months and 1st petitioner is awarded to pay the compensation of Rs.16,00,000/-. Aggrieved by the same, the petitioners have filed an appeal in CrI.A No.329 of 2017 before the learned VI Addl. Sessions Judge, City Civil

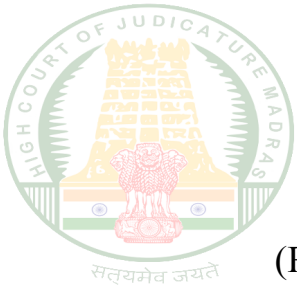


Court, Chennai, by an order dated 09.09.2025, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioners/accused would submit that there are arguable points available in the Criminal Revision Case and the petitioners/accused have got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioners/accused may be suspended. He would submit that the petitioners are 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 petitioners, coupled with the quantum of punishment imposed upon the petitioners 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:



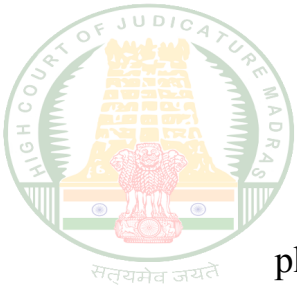
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(i) the petitioners shall deposit a sum of Rs.6,00,000/- (Rupees six lakhs only) to the credit of C.C.No.599 of 2017 on the file of learned **Metropolitan Magistrate Fast Track Court-III, Saidapet, Chennai**, within a period of six weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the respondent/complainant is permitted to withdraw the amount on filing undertaking affidavit.

(iii) On the failure of the petitioners/accused depositing the above said amount, it is open to the trial Court to commit the petitioners/accused into custody for undergoing the sentence.

(iv) On the petitioners depositing the amount as stated clause (i) supra, the sentence of imprisonment alone, imposed on the petitioners/accused, shall be suspended, on their 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;



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(v) The petitioners 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 petitioners 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 able to appear before the trial Court on any day, they 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 their absence, as directed by the trial Court;

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

06-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. VI Addl. Sessions Judge, City Civil Court, Chennai.

2. Metropolitan Magistrate Fast Track Court-III, Saidapet, Chennai.



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T.V.THAMILSELVI J.

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