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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 Nos. 18111, 18113, 18116, 18117, 18136, 18137, 18150, 18151,
18155 & 18156 of 2025**

in

Crl.R.C.Nos.1838, 1839, 1843, 1845 & 1847 of 2025

1. G.Santhamani

W/o.M.Ponnusamy, 98/1, Seerangan
Goundenpalayam, Palakarai-638 057,
Thuduppathi Via, Perundurai Taluk,
Erode District.

Petitioner(s) in all CMPs

Vs

1. N.Mahendran

2.S.Senthil Kumar

3.D.Santhoshkumar

4.P.Nallasundaramani

5.K.C.Sivakumar

Respondent in CMP.Nos.18111 & 18113/2025

Respondent in CMP.Nos.18116 & 18117/2025

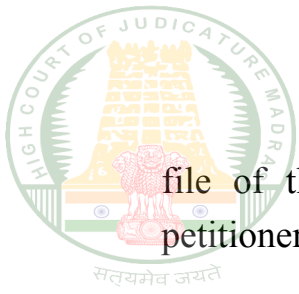
Respondent in CMP.Nos.18136 & 18137/2025

Respondent in CMP.Nos.18150 & 18151/2025

Respondent in CMP.Nos.18155 & 18156/2025

PRAYER in CRL MP No. 18111 of 2025

To suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 21.02.2019 made in STC No.140/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode which was confirmed by the judgment dated 28.02.2025 made in C.A.No.89/2019 on the



file of the Learned I-Additional Sessions Court, Erode, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

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PRAYER in CRL MP No. 18113 of 2025

To grant an order of exemption from surrendering before the trial court pursuant to the judgment dated 28.02.2025 made in C.A.No.89/2019 on the file of the Learned I-Additional Sessions Court, Erode, confirming by the judgment dated 21.02.2019 made in STC No.140/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, pending disposal of this Criminal Revision Petition.

PRAYER in CRL MP No. 18116 of 2025

To suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 21.02.2019 made in STC No.138/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode which was confirmed by the judgment dated 28.02.2025 made in C.A.No.88/2019 on the file of the Learned I-Additional Sessions Court, Erode, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

PRAYER in CRL MP No. 18117 of 2025

To grant an order of exemption from surrendering before the trial court pursuant to the judgment dated 28.02.2025 made in C.A.No.88/2019 on the file of the Learned I-Additional Sessions Court, Erode, confirming by the judgment dated 21.02.2019 made in STC No.138/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, pending disposal of this Criminal Revision Petition.

PRAYER in CRL MP No. 18136 of 2025

To suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 21.02.2019 made in STC No.172/2016 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode which was



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confirmed by the judgment dated 28.02.2025 made in C.A.No.84/2019 on the file of the Learned I-Additional Sessions Court, Erode, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

PRAYER in CRL MP No. 18137 of 2025

To grant an order of exemption from surrendering before the trial court pursuant to the judgment dated 28.02.2025 made in C.A.No.84/2019 on the file of the Learned I-Additional Sessions Court, Erode, confirming by the judgment dated 21.02.2019 made in STC No.172/2016 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, pending disposal of this Criminal Revision Petition.

PRAYER in CRL MP No. 18150 of 2025

To suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 21.02.2019 made in STC No. 137/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode which was confirmed by the judgment dated 17.04.2025 made in C.A.No.95/2019 on the file of the Learned I-Additional Sessions Court, Erode, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

PRAYER in CRL MP No. 18151 of 2025

To grant an order of exemption from surrendering before the trial court pursuant to the judgment dated 17.04.2025 made in C.A.No.95/2019 on the file of the Learned I-Additional Sessions Court, Erode, confirming by the judgment dated 21.02.2019 made in STC No.137/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, pending disposal of this Criminal Revision Petition.

PRAYER in CRL MP No. 18155 of 2025

To suspend the sentence of imprisonment imposed on the petitioner in the judgment dated 21.02.2019 made in STC No. 139/2018 on the file of the



Learned Judicial Magistrate, Fast Track Court No.1, Erode which was confirmed by the judgment dated 28.02.2025 made in C.A.No.96/2019 on the file of the Learned I-Additional Sessions Court, Erode, and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

PRAYER in CRL MP No. 18156 of 2025

To grant an order of exemption from surrendering before the trial court pursuant to the judgment dated 28.02.2025 made in C.A.No.96/2019 on the file of the Learned I-Additional Sessions Court, Erode, confirming by the judgment dated 21.02.2019 made in STC No.139/2018 on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, pending disposal of this Criminal Revision Petition.

For Petitioner(s): Mr.N.Manoharan
in all CMPs

COMMON ORDER

These Criminal Miscellaneous Petitions have been filed by the petitioner seeking suspension of sentence of imprisonment imposed on the petitioner in the judgment dated 21.02.2019 made in STC Nos. 140, 138, 172, 137 & 139/2018, respectively on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode which was confirmed by the judgment dated 28.02.2025 made in C.A.Nos.89, 88, 84, 95 & 96/2019, respectively on the file of the



Learned I-Additional Sessions Court, Erode, and enlarge the petitioner on bail

and to exempt the petitioner from surrendering, pending disposal of the above

Criminal Revisions.

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

3. The petitioner herein is the accused in STC Nos. 140, 138, 172, 137 & 139/2018, respectively on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, and in each cases, he has been convicted for the offences under Sections 138 of Negotiable Instruments Act and the accused was convicted and sentenced to undergo simple imprisonment for one year and awarded to pay the cheque amount of Rs.5,00,000/- as compensation to the complainant. In default, the accused shall undergo further simple imprisonment for a period of two month. Aggrieved by the same, the petitioner had filed appeals in C.A.Nos.89, 88, 84, 95 & 96/2019, respectively on the file of the Learned I-Additional Sessions Court, Erode. The learned trial Judge had



dismissed the appeals and confirmed the conviction and sentence, against which the present revisions have been filed.

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4. The learned counsel for the petitioner/accused would submit that there are arguable points available in the Criminal Revision Cases and the petitioner/accused has got a fair chance of succeeding in the Criminal Revision Cases 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 appeals before the first appellate Court and the petitioner may be exempted from surrendering before the Trial Court. He would submit that the petitioner is ready to abide the condition imposed by this Court.

5. 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 Revisions are not likely to be taken for final hearing in the near future, this



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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 Cases, 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.2,50,000/- (Rupees Two Lakhs Fifty thousand only), in each cases, [in toto, 2,50,000/- x 5 = Rs.12,50,000/- (Rupees Twelve lakhs fifty thousand only)] to the credit of STC Nos. 140, 138, 172, 137 & 139/2018, respectively on the file of the Learned Judicial Magistrate, Fast Track Court No.1, Erode, 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, Fast Track Court No.I, Erode.

(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.



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(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 petitions 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.

6. With the above directions, the suspension of sentence filed by the petitioner in Crl.MP.Nos.**18111, 18116, 18136, 18150, 18155 & of 2025** are ordered. Consequently, the petitions filed by the petitioner in Crl.M.P.Nos.18113, **18117, 18137, 18151 & 18156 of 2025**, seeking exemption from surrendering before the trial Court, are closed accordingly.

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 Judicial Magistrate,
Fast Track Court No.1, Erode.

2.The I-Additional Sessions Judge,
Erode.



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T.V.THAMILSELVI J.
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