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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 19278 OF 2025, CRL MP NO. 19279 OF 2025

IN

CRL RC No. 2050 of 2025

1. Rathinavel Alias S.N.R.Joshua
Rathinaraj
S/o.S.Narayanan, 4, Tooveepuiram, 5th
Street, Tuticorin, Tuticorin District.

Petitioner(s)

Vs

1. T.Bhuvaneswari
D/o.Thangavelu, 1/219, Walajabath
Road, Vandalur, Chennai.

Respondent(s)

CRL MP No. 19278 of 2025

PRAYER

To suspend the sentence and enlarge him on bail by Suspending Sentence by the trial Court in C.C.No.62 of 2016 on the file of learned Judicial Magistrate No.II, Chengalpattu by its Judgement dated 17/02.2021 as confirmed by the Principal District and Sessions Court, Chengalpattu made in C.A.No.11 of 2021 by its judgment dated 09-04-2025, pending disposal of the above main Crl.Revision



Petition and thus render justice.

CRL MP No. 19279 of 2025

WEB PRAYER

To grant exemption of surrender in C.A.No.11 of 2021 on the file of Principal District and Sessions Court, Chengalpattu by judgment dated 09-04-2025 conforming the conviction and sentence passed by the learned Judicial Magistrate No.II, Chengalpattu in C.C.No.62 of 2016 by judgment dated 17.02.2021 and thus render justice.

CRL RC No. 2050 of 2025

For Petitioner(s): R.T. Vijayaraaghavan
R.Narayanan

For Respondent:

ORDER

This petition has been filed to suspend the sentence and enlarge him on bail by Suspending Sentence by the trial Court in C.C.No.62 of 2016 on the file of learned Judicial Magistrate No.II, Chengalpattu by its Judgement dated 17/02.2021 as confirmed by the Principal District and Sessions Court, Chengalpattu made in C.A.No.11 of 2021 by its judgment dated 09-04-2025, pending disposal of the above main Crl.Revision Petition.

2. The petitioner herein is the accused in CC.No. 62 of 2016 on the file of the Judicial Magistrate No.II, Chengalpattu. He was found guilty of the offence under Section 138 of the Negotiable Instruments Act and he has been



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convicted and sentenced to undergo simple imprisonment for a period of six months and directed to pay a fine of Rs. 10,50,000/-, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of 1 month as default sentence. Aggrieved by the same, the petitioner had filed an appeal in C.A No. 11 of 2021 on the file of the learned Principal District and Sessions Court, Chengalpattu, which 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 petitioner/accused would submit that the petitioner submits that P.W.1 admits he gave a complaint against accused for Rs.7 lakhs and 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. He would submit that the petitioner is ready to abide any condition to be imposed by this Court.



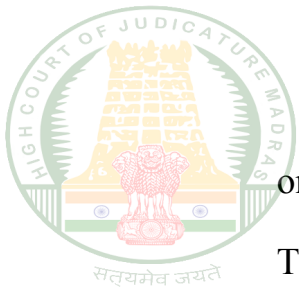
4. Heard the learned counsel appearing for the petitioner and also perused the materials placed on record.

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5. Considering the submissions of the learned counsel for the petitioner, coupled with the quantum of punishment imposed upon the petitioner 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:

(i) the petitioner shall deposit a sum of Rs.1,00,000/- to the credit of C.C.No.62 of 2016 on the file of learned Judicial Magistrate No.II, Chengalpattu, within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the trial Court shall redeposit the said amount in a Fixed Deposit Account, in any



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one of the Nationalized Banks, renewable thereafter periodically.

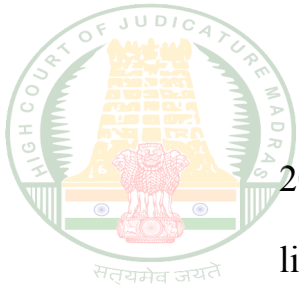
The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

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

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

(v) The petitioner 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 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 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;

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6. With the above directions, CMA No. 19278 of 2025 is ordered. In view of order passed in CMA No. 19278 of 2025, CMA No. 19279 of 2025 is closed.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate No.II, Chengalpattu
2. The Principal District and Sessions Court, Chengalpattu.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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