



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 21045 OF 2025, CRL MP NO. 21049 OF 2025
IN CRL RC No. 2327 of 2025**

1. P.Ramachandran
S/o.Palani Muthu, No.126, Pazhaya
Colony, Sendarapatti - Post, Gangavali
Taluk, Salem District.

Petitioner(s)

Vs

1. S.Venkatachalam
S/o.Shanmugham.P, Thaneerthoti,
Nagiyampetti Post, Gangavalli Taluks,
Salem District.

Respondent(s)

CRL MP No. 21045 of 2025

PRAYER

To suspend the sentence by the judgment passed by the learned Additional District Cum Session Court-Attur, Salem District in CrI.A.No.95/2024 by its judgment dated 28.07.2025 by confirming the sentence in STC.No.140 of 2022 passed by the learned Judicial Magistrate, Fast Track Court Attur, Salem District



on 22.03.2024 for offence U/Sec.138 NI Act and u sec 255(2) Cr.P.C to undergo one year Simple imprisonment and u/sec.357(3) of Cr.P.C. to pay compensation of Rs.10,00,000/- to the complainant with a period of 3 month in default the three month simple imprisonment for the offences U/s. 138 of Negotiable Instruments Act and enlarge the portioner on bail ad pass any other order as this Honble Court.

CRL MP No. 21049 of 2025

PRAYER

To exempt the petitioner from surrender before the Judicial Magistrate Fast Track Court - Attur Salem District for the sentence imposed by the judgment dated 28.07.2025 made in CrI.A.No.95 of 2024 passed by the learned Additional I District and Sessions Court Attur, Salem District by confirming the conviction and the sentence imposed by the judgement dated 22.03.2024 made in STC.No.140 of 2022 passed by the learned Judicial Magistrate Fast Track Court-Attur Salem District and pass any other order as this Honble Court.

CRL RC No. 2327 of 2025

For Petitioner(s): B.Senthil Kumar
 P.Lalithapriya
 R.Prabhakaran

For Respondent:

COMMON ORDER

These petitions have been filed to suspend the sentence by the judgment passed by the learned Additional District Cum Session Court-Attur, Salem District in CrI.A.No.95/2024 by its judgment dated 28.07.2025 by confirming the sentence in STC.No.140 of 2022 passed by the learned Judicial Magistrate,



Fast Track Court Attur, Salem District and exempt the petitioner from surrendering before the Trial Court.

2. The petitioner herein was convicted by the Judicial Magistrate, Fast Track Court Attur, Salem District STC.No.140 of 2022 for the offence under Section 138 of N.I Act and sentenced him to undergo one year Simple Imprisonment and directed to pay compensation of Rs. 10,00,000/- to the complainant, in default, to undergo Simple Imprisonment for three months and same was confirmed by the Additional District Cum Session Court-Attur, Salem District in Crl.A.No.95/2024. Aggrieved over the same, the petitioner filed presen Revision along with this Miscellaneous petition.

3. The learned counsel for the petitioner submits that the petitioner has repaid the loan amount to that effect he marked the bank account statement but the same was not properly appreciated by the Trial Court. Hence, 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.

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 **before the Trial Court**, 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 one of the Nationalized Banks, renewable thereafter periodically. The disbursal of this amount shall be decided at the culmination



of the Criminal Revision Case;

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(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. 210465 of 2025 is ordered and
CMA No. 21049 of 2025 is closed.

10-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Additional District Cum Session Court-Attur, Salem District.
2. The Judicial Magistrate, Fast Track Court Attur, Salem District.



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CRL RC No. 2327 of 2025



T.V.THAMILSELVI J.

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