



IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 25.10.2025

Coram:

The Honourable Mrs.Justice T.V.THAMILSELVI

**Crl.M.P.Nos.19651 & 19653 of 2025
in Crl.R.C.No.2109 of 2025**

R.J.Pandian Inbasekaran

...Petitioner in both Crl.M.Ps

Versus

S.Ramesh

...Respondent in both Crl.M.Ps

Prayer in Crl.M.P.No.19651 of 2025 in Crl.R.C.No.2109 of 2025:

This Criminal Miscellaneous Petition is filed under Section 438(1) of BNSS, 2023 praying to suspend the sentence passed in the judgment and order dated 11.09.2025 in C.A.No.87 of 2022 on the file of District and Sessions Court, Chengalpattu for convicting the petitioner and the above appeal and confirming the Judgment dated 07.11.2022 passed in C.C.No.61 of 2021 on the file of the Judicial Magistrate Court, Fast Track Court Magistrate Level, Alandur.



Prayer in CrI.M.P.No.19653 of 2025 in CrI.R.C.No.2109 of 2025:

WEB COPY

This Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023 praying to exempt the petitioner from surrendering before the trial Court in C.C.No.61 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court, Magistrate Level at Alandur pending disposal of this revision petition.

For Petitioner in both CrI.M.Ps : Mr.T.Ananthasekar

COMMON ORDER

The Criminal Miscellaneous Petition No.19651 of 2025 has been filed by the petitioner seeking to suspend the sentence imposed on him by the learned Judicial Magistrate, Fast Track Court (Magistrate Level), Alandur vide Judgment dated 07.11.2022 in C.C.No.61 of 2021 which was confirmed by the learned Principal District and Sessions Judge, Chengalpattu vide Judgment dated 11.09.2025 in C.A.No.87 of 2022 and enlarge him on bail pending disposal of the above Criminal Revision Petition.

2. The Criminal Miscellaneous Petition No.19653 of 2025 has been filed by the petitioner seeking to exempt him from surrendering before the trial Court in C.C.No.61 of 2021 on the file of the learned Judicial



WEB COPY

Magistrate, Fast Track Court (Magistrate Level), Alandur pending disposal of this revision petition.

3. The petitioner is the accused in C.C.No.61 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court (Magistrate Level), Alandur. The petitioner/accused was found guilty of the offence under Section 138 of the Negotiable Instruments Act, 1881. Therefore, the trial Court vide Judgment dated 07.11.2022 in C.C.No.61 of 2021, convicted the petitioner/accused and sentenced him to undergo simple imprisonment for a period of 6 months and to pay a sum of Rs.1,85,148/- as compensation to the respondent/complainant within 1 month, in default, to undergo 2 months simple imprisonment. Challenging the said judgment of the trial Court, petitioner/accused had preferred a Criminal Appeal in C.A.No.87 of 2022 before the Principal District and Sessions Judge, Chengalpattu. However, the Appellate Court vide Judgment dated 11.09.2025, dismissed the said Criminal Appeal and confirmed the judgment of the trial Court. Hence, petitioner/accused has filed the present Criminal Revision Case before this Court.



WEB COPY

4. The learned counsel for the petitioner/accused submitted that petitioner/accused has been falsely implicated in this case and he has no previous criminal antecedents.

4.1. It is further submitted by the learned counsel for the petitioner/accused that the trial Court had ordered the petitioner/accused to pay a sum of Rs.1,85,148/- as compensation to respondent/complainant, out of the said compensation amount, petitioner/accused had deposited a sum of Rs.33,360/- to the credit of C.C.No.61 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court (Magistrate Level), Alandur and now, the petitioner/accused is ready to pay the balance compensation amount of Rs.1,51,788/-.

4.2. The learned counsel for the petitioner/accused also submitted that petitioner/accused has a fair chance of succeeding in the Criminal Revision Case and he is ready to abide any condition to be imposed by this Court. Therefore, the learned counsel for the petitioner/accused prayed



that the substantive sentence imposed on the petitioner/accused may be suspended.

5. Heard the learned counsel for petitioner/accused and perused the materials available on record.

6. Considering the submissions made by the learned counsel for the petitioner/accused coupled with the quantum of punishment imposed on the petitioner/accused and taking into consideration of the fact that the Criminal Revision is likely to be taken up for final hearing in the near future, this Court is inclined to suspend the substantive sentence of imprisonment alone.

7. 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/accused shall deposit the balance compensation amount of Rs.1,51,788/- (Rupees One Lakh Fifty Thousand Seven Hundred and Eighty Eight only) to the credit of C.C.No.61 of 2021 on the file of the learned Judicial



Magistrate, Fast Track Court (Magisterial Level), Alandur, within a period of four weeks from the date of receipt of a copy of this order, failing which, this order shall stand automatically cancelled.

(ii) On such deposit being made, respondent/complainant is permitted to withdraw the amount deposited by the petitioner/accused in C.C.No.61 of 2021 on the file of the learned Judicial Magistrate, Fast Track Court (Magisterial Level), Alandur, on proper identification, in the manner known to law.

(iii) If the petitioner/accused fails to deposit the aforesaid amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence.

(iv) The sentence of imprisonment imposed on the petitioner/accused shall be suspended on condition that he shall execute a bond for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only) with two sureties, each for a likesum to the satisfaction of the trial Court;

(v) The petitioner/accused and the sureties shall affix their photographs and Left Thumb Impressions in the surety bonds and the trial Court may obtain a copy of their Aadhaar Card or Bank Pass Book and their mobile numbers to ensure their identity;



(vi) The petitioner/accused 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 Case 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 his absence, as directed by the trial Court.

8. With the above directions, Criminal Miscellaneous Petition No.19651 of 2025 is allowed. Consequently, Criminal Miscellaneous Petition No.19653 of 2025 is closed.

25.10.2025

mrr
Index: Yes/No
Speaking Order (or) Non-Speaking Order

- To
- 1.The Judicial Magistrate,
Fast Track Court (Magistrate Level),
Alandur.
 - 2.The Principal District and Sessions Judge,
Chengalpattu.
 - 3.The Public Prosecutor,
High Court, Madras.



WEB COPY



T.V.THAMILSELVI, J.

mrr

Crl.M.P.Nos.19651 & 19653 of 2025
in Crl.R.C.No.2109 of 2025

25.10.2025