



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 09-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 18791 of 2025 IN CRL RC NO. 1988 OF 2025

KATHIRVEL

S/o.Raji, No.8/540, Muthamizh Nagar,
Kodungaiyur, Chennai-600 118.

Petitioner(s)

Vs

RAJU

S/o.V.Kannan, No.2C, 3rd Street,
Agatiar Nagar Extension, Villivakkam,
Chennai-600 049.

Respondent(s)

PRAYER

To suspend the sentence imposed on the petitioner by I-Additional Sessions Judge, City Civil Court in C.A.No.271/2024 dated 30.06.2025 confirming the sentence and conviction imposed by the Learned Metropolitan Magistrate, FTC-I, Egmore at Allikulam in CC No.3470/2018 dated 06.03.2024 and enlarge the petitioner on bail pending disposal of the above Criminal Revision Petition.

For Petitioner(s): G.Vinodhkumar
 S.Suresh
 A.S.Shankar
 S.Vinoth Kumar
 S.Lal Devasagayam
 U.Vignesh



ORDER

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2. The petitioner herein is the accused in CC No.3470 of 2018 on the file of Learned Metropolitan Magistrate, FTC-I, Egmore at Allikulam. He was found guilty of the offence under Section 255(2) of Cr.P.C for the offence punishable under section 138 of Negotiable Instrument Act, convicted and sentenced him to undergo six months simple imprisonment and to pay Rs.11,10,000/- as compensation to the complainant under Section 357 of Cr.P.C r/w Section 138 of N.I Act and in default to undergo simple imprisonment for two months. Aggrieved by the same, the petitioner filed an appeal in Crl.A



No.271 of 2024 and by order dated 30.06.2025 the learned I-Additional

Sessions Judge, City Civil Court dismissed the appeal, thereby confirming the

judgment and sentence imposed by the trial Court. Hence, the present revision

has been filed.

3. The learned counsel for the petitioner/accused submitted that he is having a valid defence available in the Criminal revision and the petitioner/accused has a fair chance of succeeding in the Criminal revision and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He also submitted that the petitioner is ready to abide the condition imposed by this Court.

4. 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 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, 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.3,00,000/- (Rupees three Lakh only), to the credit of C.C No.3470 of 2018 on the file of Learned Metropolitan Magistrate, FTC-I, Egmore at Allikulam, 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 Learned Metropolitan Magistrate, FTC-I, Egmore at Allikulam.

(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 Aadhar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal revision 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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(e) The defacto complainant is permitted to withdraw the amount, deposited by the petitioner in C.C No.3470 of 2018 on the file of Learned Metropolitan Magistrate, FTC-I, Egmore at Allikulam, on proper identification, in the manner known to law.

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

09-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To.

1. The I-Additional Sessions Judge, City Civil Court, Chennai
2. The Metropolitan Magistrate, FTC-I, Egmore at Allikulam
3. The Public Prosecutor, High Court of Madras.



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T.V.THAMILSELVI, J.

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IN CRL RC NO. 1988
OF 2025**

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