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CRL RC No. 2356 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 21295 OF 2025,CRL MP NO. 21296 OF 2025

IN CRL RC No. 2356 of 2025

1. VADIVEL

S/o.Ganapathi, Segal, Thirumarugal
Post, Nagapattinam District-609 702.

Petitioner(s)

Vs

1. RAJ

S/o.Rathinam, No.13A, Gandhiji Road,
Mahiladuthurai, Mahiladuthurai
District.

Respondent(s)

CRL MP No. 21295 of 2025

PRAYER

To suspend the sentence imprisonment imposed in the judgment in C.A.No.53/2012 dated 28.02.2020 passed by Additional District and Sessions Judge, Mayiladuthurai confirming the conviction imposed in the judgment dated 30.08.2012 in CC No.156/2012 Fast Track Judicial Magistrate, Mayiladuthurai



and enlarge the petitioner on bail pending disposal of the above Revision Petition.

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CRL MP No. 21296 of 2025

PRAYER

To exempting the surrender of the petitioner in pursuance to the order dated 28.02.2020 in C.A.No.53/2012 passed by Additional District and Sessions Judge, Mayiladuthurai confirming the conviction imposed in the judgment dated 30.08.2012 in CC No.156/2012 Fast Track Judicial Magistrate, Mayiladuthurai and enlarge the petitioner on bail pending disposal of the above Revision Petition.

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For Petitioner(s): D.Arun
M.P.Venkata Krishnan
K.Mangayarkarasi
Divya Vasuki

For Respondent:

ORDER

These petitions have been filed to suspend the sentence imprisonment imposed in the judgement in C.A.No.53/2012 dated 28.02.2020 passed by Additional District and Sessions Judge, Mayiladuthurai confirming the conviction imposed in the judgment dated 30.08.2012 in CC No.156/2012 Fast Track Judicial Magistrate, Mayiladuthurai and enlarge the petitioner on bail pending disposal of the above Revision Petition and exempting the surrender of the petitioner.



2. The petitioner herein is the accused in **CC No.156/2012 on the file of the Fast Track Judicial Magistrate, Mayiladuthurai**. He was found guilty of the offence under Section 138 of the Negotiable Instruments Act and he has been convicted and sentenced to undergo simple imprisonment for a period of three **months** and directed to pay a fine of Rs.500/-, in default, to undergo a simple imprisonment for a period of **one month**. Aggrieved by the same, the petitioner had filed an appeal in **C.A.No.53/2012 on the file of the Additional District and Sessions Judge, Mayiladuthurai**, 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 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.



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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.75,000/- to the credit of CC No.156/2012 on the file of the Fast Track Judicial Magistrate, Mayiladuthurai**, within a period of four weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled. Further, the defacto complainant is permitted to withdraw the amount deposited by the petitioner.



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(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;

(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



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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, this CMA No. 21295 of 2025 is ordered and CMA No. 21296 of 2025 is closed.

12-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

The Additional District and Sessions Judge, Mayiladuthurai.

The Fast Track Judicial Magistrate, Mayiladuthurai



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T.V.THAMILSELVI J.

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