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CRL MP No. 18955 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 18955 OF 2025

IN CRL RC No. 2005 of 2025

1. R.Jayakumar
S/o.K.Rama Gounder, Door No.3/206-
A, Nadupalayam Road, Pattanam, Sulur
Taluk, Ondipudur Post, Coimbatore.

Petitioner(s)

Vs

1. R. Uma
W/o.Rajesh, Door No.3/206-B,
Nadupalayam Road, Pattanam, Sulur
Taluk, Ondipudur Post, Coimbatore.

Respondent(s)

PRAYER

To Suspend the sentence imposed in C.C.No.352 of 2020 on the file of the Judicial Magistrate, Fast Track Court at Magisterial Level - II, Coimbatore dated 22.04.2024 and confirmed by the judgment made in C.A.No.167 of 2024 on the file of the I Additional District and Sessions Judge, Coimbatore dated 20.03.2025 and release him on bail pending disposal of the above Criminal Revision and pass such further or orders as this Honble Court may deem fit and



proper in the circumstances of the case and thus render justice.

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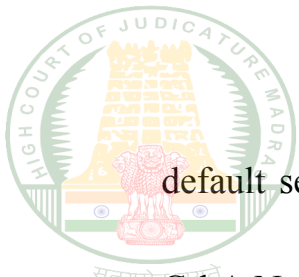
For Petitioner(s): S.Syed Mazhar Hayath
M.Rajkumar

For Respondent:

ORDER

This petition has been filed to suspend the sentence imposed in C.C.No.352 of 2020 on the file of the Judicial Magistrate, Fast Track Court at Magisterial Level - II, Coimbatore dated 22.04.2024 and confirmed by the judgment made in C.A.No.167 of 2024 on the file of the I Additional District and Sessions Judge, Coimbatore dated 20.03.2025 and release him on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C No. 352 of 2020 on the file of the learned Judicial Magistrate, Fast Track Court at Magistrate Level-II, Coimbatore. 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 six months and awarded to pay the cheque amount of Rs.4,50,000/-, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of one month as



default sentence. Aggrieved by the same, the petitioner had filed an appeal in

Crl.A No.167 of 2024 and the learned I Additional District and Sessions Judge,

Coimbatore, by order dated 20.03.2025 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 is ready to settle the issue 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.

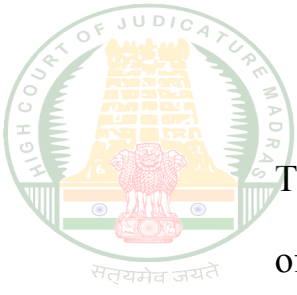


5. Considering the submissions of the learned counsel for the

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. 1,60,000/- to the credit of CC No. 352 of 2020 on the file of Judicial Magistrate, Fast Track Court at Magistrate Level-II, Coimbatore and after releasing from the jail the petitioner shall deposit the balance amount of Rs.2 lakhs before the Trial Court and respondent is permitted to withdraw the same. 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;

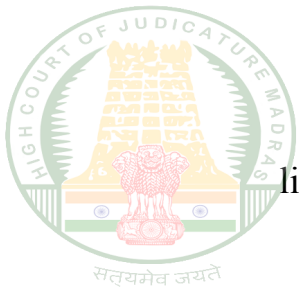
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(iii) On the failure of the petitioner/accused depositing the above said amount, it is open to the trial Court to commit the petitioner/accused into custody for undergoing the sentence.

(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, this Criminal Miscellaneous Petition is
ordered.

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate, Fast Track Court at Magistrate Level-II, Coimbatore.
2. The Central Prison, Coimbatore.
3. The Public Prosecutor High Court, Madras.



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T.V.THAMILSELVI J.
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