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CRL RC No. 2142 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 27-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 19848 OF 2025

IN

CRL RC No. 2142 of 2025

1. S.Kannan

S/o.Srinivasan, No.2, A.R.V.Colony,
Singlanthi Road, Thiruthuraipoondi TK,
Tiruvarur District.

Petitioner(s)

Vs

1. S.M.Velmurugan

S/o.Meenakshisundaram, No.2,
S.M.A.Colony, Vedaranyam Road,
Thiruthuraipoondi TK, Tiruvarur
District.

Respondent(s)

PRAYER

To suspend the sentence order of judgement in CrI.A.No.46/2024 dated 09.09.2025 passed by the Honble Principal District and Sessions Court, Tiruvarur, by confirming the order of judgement passed in STC No.6/2019 dated 21.11.2023 on the file of the Honble Judicial Magistrate (Fast Track



Court), Thiruthuraipoondi till the disposal of the Criminal Revision.

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For Petitioner(s): K.M.Subramanian
A.Udhayachandiran
K.M.S.Muthukumaran
K.Shunmugapriya

For Respondent:

ORDER

This petition has been filed to suspend the sentence order of judgement in Crl.A.No.46/2024 dated 09.09.2025 passed by the Principal District and Sessions Court, Tiruvarur, by confirming the order of judgement passed in STC No.6/2019 dated 21.11.2023 on the file of the Judicial Magistrate (Fast Track Court), Thiruthuraipoondi till the disposal of the Criminal Revision.

2. The petitioner herein is the accused in STC No.6/2019 on the file of the Honble Judicial Magistrate (Fast Track Court), Thiruthuraipoondi . 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 **2 years** and awarded compensation to pay the cheque amount of **Rs.5,00,000/-**, in default of payment of compensation, the



petitioner shall undergo a simple imprisonment for a period of **6 months** as default sentence. Aggrieved by the same, the petitioner had filed an appeal in Crl.A.No.46/2024 on the file of the Principal District and Sessions Court, Tiruvarur, by an order dated 09.09.2025, which 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 has borrowed only Rs.2 lakhs and there is no proof that the respondent had paid a sum of Rs.3 lakhs to the petitioner by cash. In spite of the at the Courts below convicted the petitioner. 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 the credit of** STC No.6/2019 on the file of the Honble Judicial Magistrate (Fast Track Court), Thiruthuraipoondi, within a period of 3 weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled.

(ii) On such deposit being made, the respondent is permitted to withdraw the amount deposited before the trial Court.

(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.

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(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;



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

27-10-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Principal District and Sessions Court, Tiruvarur
2. The Judicial Magistrate (Fast Track Court), Thiruthuraipoondi.
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.
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