



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 31-10-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP Nos. 20199 & 20200 of 2025

IN

CRL RC NO. 2204 OF 2025

M.Jaganathan

S/o. Madhana Gopal, No.3, 5th Trust
Cross Street, Mandavelipakkam,
Chennai-600028.

Petitioner(s) in both

Vs

M.Geethalakshmi

D/o.P.S.Mani, Balaji Apartments, Flat
A2, A Block, Ground Floor, 38,
Parangusapuram Street, Kodambakkam,
Chennai-600024.

Respondent(s) in both

For Petitioner(s): Mr.N. Manoharan

For Respondent:

**COMMON ORDER**

WEB COPY These Criminal Miscellaneous Petitions have been filed by the petitioner, seeking suspension of sentence imposed in C.A.No.201 of 2023 before the learned VI Additional Judge, City Civil Court, Chennai, dated 28.02.2025 by confirming the conviction and sentence passed in judgement dated 21.03.2023 made in C.C.No.2786 of 2017 on the file of III-Fast Track Metropolitan Magistrate, Saidapet, Chennai and seeking to exempt the petitioner from surrendering before the trial Court pending disposal of the above revision petition.

2. The petitioner herein is the accused in C.C.No.2786 of 2017 on the file of III-Fast Track Metropolitan Magistrate, Saidapet, Chennai. The accused is found guilty under Section 255(2) of Cr.P.C for the offence under Section 138 of Negotiable Instruments Act and the accused is convicted and sentenced to undergo six months simple imprisonment and ordered to pay the cheque amount as compensation to the complainant under Section 357(3) Cr.P.C. Aggrieved by the same, the petitioner had filed appeal in C.A.No.201 of 2023 on the file of



VI Additional Judge, City Civil Court, Chennai, was dismissed on 28.02.2025, confirming the conviction and sentence passed by the trial Court, against which the present revision has been filed.

3. The learned counsel for the petitioner submitted that there is no legally enforceable debt between the petitioner and the defacto complainant, who is a LIC agent. For the purpose of availing an LIC policy, a cheque was issued, which was subsequently misused. To that effect, the petitioner had issued a reply notice. However, the same was not properly appreciated by the Courts below. The petitioner still has a valid defence in this regard.

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 Case, the reliefs of suspension of sentence and bail are granted on the



following conditions:

(a) It is noted that already 20% of the cheque amount has been deposited before the first appellate Court at the time of the appeal. The petitioner is now directed to deposit a further sum of Rs.3,00,000/- (Rupees Three Lakhs only) 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 his 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 III-Fast Track Metropolitan Magistrate, Saidapet, Chennai.

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

(d) The petitioner shall report before the respondent police as and when required for interrogation and also appear before the Trial Court on every hearing, 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.



(e) the defacto complainant is permitted to withdraw the amount deposited by the petitioner in C.C.No.2786 of 2017 on the file of the III-Fast Track Metropolitan Magistrate, Saidapet, Chennai.

(f) In case of any deviation or non-compliance, this order shall stand vacated automatically.

5. With the above directions, the suspension of sentence filed by the petitioner in Crl.MP.No.20199 of 2025 is ordered. Consequently, the petitions filed by the petitioner in Crl.M.P.No.20200 of 2025 seeking exemption from surrendering before the trial Court, is closed accordingly.

31-10-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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CRL MP No. 20199 of 2025



To

- WEB COPY
1. The VI Additional Judge, City Civil Court, Chennai.
 2. The III-Fast Track Metropolitan Magistrate, Saidapet, Chennai.



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CRL MP No. 20199 of 2025



T.V.THAMILSELVI J.
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