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CRL RC No. 2040 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 19229 OF 2025,CRL MP NO. 19232 OF 2025
IN CRL RC No. 2040 of 2025**

1. G.Ramkumar
S/o.(Late)V.C.Ganesan, Annai illam,
No. 17, Chevalier Sivaji Ganesan Road,
T.Nagar, Chennai- 600 017.

Petitioner(s)

Vs

1. M/s.ABISHEK FILMS
Rep. by its Partner, P.Ramesh,
S/o.N.Pichanathan Pillai, 110, 4th
Avenue , Ashok Nagar, Chennai 600
083.

Respondent(s)

CRL MP No. 19229 of 2025

PRAYER

To Suspend the Sentence imposed on the petitioner in C.C.No. 812/2021 on the file of the Learned Metropolitan Magistrate, Fast Track Court V, Saidapet, Chennai dt. 28.08.2023 confirmed by the Learned VI Additional Session Judge, Chennai in C.A.No. 553/2023 dt. 05.08.2025 pending disposal of the above mentioned Crl.R.C



CRL MP No. 19232 of 2025

PRAYER

To exempt the petitioner from surrendering in pursuant to the order by the Honble VI Additional Session Judge, Chennai in C.A.No. 553/2023 dt. 05.08.2025 against the order of the Learned Metropolitan Magistrate, Fast Track Court V, Saidapet, Chennai dt. 28.08.2023 pending disposal of the above mentioned Crl.R.C.

CRL RC No. 2040 of 2025

For Petitioner(s): K.R. Ramesh Kumar
A.Nagarajan
R .Raghuraj
S.Arockiaraj
K.Meena
G.Nandakumar

For Respondent:

ORDER

These petitions have been filed to suspend the Sentence imposed on the petitioner in C.C.No. 812/2021 on the file of the Learned Metropolitan Magistrate, Fast Track Court V, Saidapet, Chennai dated 28.08.2023 confirmed by the Learned VI Additional Session Judge, Chennai in C.A.No. 553/2023 dt. 05.08.2025 pending disposal of the above mentioned Crl.R.C and to exempt the petitioner from surrendering in pursuant to the order by the VI Additional Session Judge, Chennai in C.A.No. 553/2023 dt. 05.08.2025 against the order of



the Learned Metropolitan Magistrate, Fast Track Court V, Saidapet, Chennai
dated 28.08.2023 pending disposal of the above mentioned Crl.R.C.

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2. The petitioner herein is the accused in CC No. 812 of 2021 **on the file of the learned Metropolitan Magistrate, Fast Track Court V, Saidapet.**

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 9 **months** and awarded to pay the cheque amount of **Rs. 1,03,25,720/-**, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of **three month** as default sentence.

Aggrieved by the same, the petitioner had filed an appeal in **C.A No. 553 of 2023 and the learned VI Additional Session Judge, Chennai, by order dated 05.08.2025**, 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 had originally borrowed a sum of Rs. 57,00,000/- along with 24% interest but the respondent initiated N.I proceedings for a sum of Rs.



1,03,25,720/-, 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.2,00,000/-** to the credit of CC No. 812 of 2021 on the file of the learned **Metropolitan Magistrate, Fast Track Court V, Saidapet**, within a period of four weeks from today. 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;

(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;



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(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 CMA No. 19229 of 2025 is ordered and CMA No. 19232 of 2025 is closed.

16-10-2025

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To

1. The Metropolitan Magistrate, Fast Track Court V, Saidapet.
2. The VI Additional Session Judge, Chennai.
3. The Public Prosecutor High Court, Madras.



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CRL RC No. 2040 of 2025



T.V.THAMILSELVI J.
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19232 OF 2025
IN CRL RC No. 2040 of
2025**

16-10-2025