



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 11-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 20939 OF 2025

AND

CRL RC NO. 2308 OF 2025

A.Chellan
S/o.Appavu,
M/s.Anish Auto Consulting, Pammam
main road, Marthandam, Kanyakumari
District-629 155.

Petitioner(s)

Vs

P.Dharmendra Kumar
Reptd.By Mr.Goutham Chand
S/o.Parasamal, (Power agent), Old
No.16, New No.45, Azhagappa Road,
Purasawalkam, Chennai-600 084.

Respondent(s)

CRL MP No. 20939 of 2025

PRAYER

To suspend the sentence imposed on the petitioner by the Metropolitan Magistrate, Fast Track Court at Magistrate Level-IV, George Town at Chennai in CC.No.2367/2013 dated 29.07.2024 and upheld by the XVIII additional City



Civil Court at Chennai in C.A.No.615/2024 dated 31.07.2025 and release the petitioner on bail until disposal of the above Criminal Revision petition

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For Petitioner(s): Mr.R.John Sathyan,
Senior Advocate for
Mr.Ashok Padmaraj

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, seeking suspension of sentence imposed by the learned XVIII Addl. City Civil Court, Chennai in C.A.No.615 of 2024, dated 31.07.2025, confirming the Judgment dated 29.07.2024 passed in C.C.No.2367 of 2013 by the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV, George Town, Chennai and enlarge the petitioner on bail pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in C.C No. 2367 of 2013 on the file of the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV, George Town, Chennai. 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 awarded to pay the compensation of Rs.20,00,000/- along with 3% per annum for the cheque amount from the date of dishonour of cheque to till date, in default, to undergo simple imprisonment for the period of three weeks.



Aggrieved by the same, the petitioner had filed an appeal in Crl.A No.615 of 2024 before the learned XVIII Addl. City Civil Court, Chennai, by an order dated 31.07.2025, 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 senior 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.

4. Heard the learned senior counsel appearing for the petitioner and also perused the materials placed on record.

5. Considering the submissions of the learned senior 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:

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(i) 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;

(ii) 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;

(iii) 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.

11-11-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To

1. XVIII Addl. City Civil Court, Chennai.

2. Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV, George Town, Chennai.



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CRL MP No. 20939 of 2025



T.V.THAMILSELVI J.

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