



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 21618 OF 2025,CRL MP NO. 21619 OF 2025

IN

CRL RC No. 2396 of 2025

1. M/s.Kannan Textiles

Rep by its Proprietor, Mr.Selvakumar,
No.100, Trichy Road, Police Quarters
Opposite, Palladam. and another

2. Selvakumar

Proprietor of Kannan Textiles, S/O
Chinnappan, Maniyakarar Thottam,
Ammapalayam Palladam, Tiruppur
District.

Petitioner(s)

Vs

1. M/s.Harshini Textiles Limited

Rep by its Senior Manager, Jeyakumar,
No.504, Avinashi Road, Peelamedu,
Coimbatore.

Respondent(s)

CRL RC No. 2396 of 2025

For Petitioner(s): M/s.P.V.Selvakumar
T.Nixon

For Respondent:

ORDER



These petitions have been filed to suspend the sentence imposed on the petitioner in the judgement made in C.A no. 267 of 2025 dated 02.09.2025 on the file of the V Additional District and Sessions Judge, Coimbatore partly confirming the order passed in CC No. 69 of 2017 dated 20.02.2024 on the file of the Judicial Magistrate, Fast Track Court No.2, Coimbatore and enlarge the petitioner on bail pending disposal of the above criminal revision petition and to exempt the petitioner from surrendering before the trial Court.

2. The petitioner herein is the accused in CC No. 69 of 2017 on the file of the Judicial Magistrate, Fast Track Court No.2, Coimbatore. He was found guilty of the offence under Sections 138 of N.I Act and sentenced to undergo nine months Simple Imprisonment and also directed to pay a compensation of Rs.10,84,469/-. Aggrieved by the same, the petitioner had filed appeal in C.A no. 267 of 2025 on the file of the V Additional District and Sessions Judge, Coimbatore, by order dated 02.09.2025, had partly allowed the appeal and directed to pay a compensation of Rs.10,84,469/-, in default, to undergo, 3 months Simple Imprisonment against which the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that the complaint has not proved with evidence that is legally enforceable debt without which the courts below convicted the petitioner. Further, 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. 69 of 2017 on the file of the Judicial Magistrate, Fast Track Court No.2, Coimbatore, within a period of five weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled and the complainant is permitted to withdraw the same by filing undertaking affidavit.



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(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;

(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, CRL.MP No. 21618 of 2025 is ordered and CRL.MP. No. 21619 of 2025 is closed.

18-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The V Additional District and Sessions Judge, Coimbatore.

2. The Judicial Magistrate, Fast Track Court No.2, Coimbatore.



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T.V.THAMILSELVI J.
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