



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 21219 OF 2025

IN

CRL RC No. 2345 of 2025

1. E.Santhi

W/o.Elango, State Bank Staff Quarters,
E Block No.5, Mettur Dam-1, Mettur
Taluk, Salem District.

Petitioner(s)

Vs

1. K.Jeeva

S/o.Kandasamy, EB Thermal Quarters,
Mettur Taluk, Salem District.

Respondent(s)

PRAYER

To suspend the sentence which were imposed on the petitioner in Crl.A.No.193/2025 by an order dated 07.01.2025 on the file of the Honble Additional District Judge, FTC , Mettur as well as the judgemnt of Conviction passed in STC.No. 13/2020 before Hon'ble Judicial Magistrate-I, Mettur order dated 18.07.2023 pending disposal of the Crl.R.C. and release the accused/petition on bail.



CRL RC No. 2345 of 2025

For Petitioner(s): P.Saravanan
J.Yesotha Saravanan
D.Mohammed Asan
M.Dinesh Sharma
N.Priyadharshini

For Respondent:

ORDER

This petition has been filed to suspend the sentence which were imposed on the petitioner in Crl.A.No.193/2025 by an order dated 07.01.2025 on the file of the Additional District Judge, FTC , Mettur as well as the judgement of Conviction passed in STC.No.13/2020 before Judicial Magistrate-I, Mettur order dated 18.07.2023 pending disposal of the Crl.R.C. and release the accused/petition on bail.

2. The petitioner herein is the accused in **STC.No.13/2020 on the file of the Judicial Magistrate-I, Mettur**. 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 **one year** and awarded 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 **three month** as default sentence. Aggrieved by the same, the

petitioner had filed an appeal in **Crl.A.No.193/2025** by an order dated

07.01.2025, the **Additional District Judge, FTC, Mettur**, 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 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.1,50,000/-** to **the credit of STC.No.13 of 2020 on the file of learned Judicial Magistrate No.1, Mettur**, within a period of three 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 same.

(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



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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.

12-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No



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T.V.THAMILSELVI J.

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To

1. The Additional District Judge, FTC, Mettur.
2. The Judicial Magistrate – 1, Mettur.

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