



CRL MP No. 21744 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 21744 of 2025

IN

CRL RC NO. 2416 OF 2025

GOWRISHANKAR

S/o.Thangavel, No.4a, Tamil Nagar,
Gobichettypalayam Taluk, Town,
Erode District.

Petitioner(s)

Vs

G.K.Murugesan

S/o.Kuppusamy, No. 37,
Pudhupalayam, Gobichettypalayam
Taluk, Town, Erode District.

Respondent(s)

For Petitioner(s): Mr.T.Balaji

For Respondent:

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner,



to suspend the sentence imposed in judgement dated 27.02.2025 made in C.A.No.26 of 2023, passed by the III Additional District Sessions Judge, Gobichettipalayam, by confirming the judgement and conviction dated 21.12.2022 made in STC.No.857 of 2016, on the file of the Judicial Magistrate -No.I, Gobichettipalayam.

2. The petitioner herein is the accused in C.A.No.26 of 2023 on the file of the III Additional District Sessions Judge, Gobichettipalayam, and convicted for the offence under Section 138 of Negotiable Instrument Act and sentenced him to undergo one year simple imprisonment and directed the petitioner to pay RS.10,00,000/- as compensation to the complainant under Section 357(3) Cr.P.C. within two months. Aggrieved by the same, the petitioner had filed appeal in C.A.No.26 of 2023 before the learned III Additional District and Sessions Judge, Gobichettipalayam. The learned trial Judge had dismissed the appeal and confirmed 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 he was falsely implicated in this case, and he is ready to abide with any conditions.

4. The learned prosecution raised strong objections to suspend the sentence.

5. 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, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner is directed to deposit a sum of Rs.2,00,000/-(Rupees Two lakhs only) to the credit of STC.No.857 of 2016, on the file of the the Judicial Magistrate-I, Gobichettipalayam, 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 executing a bond **for a sum of Rs.25,000/- (Rupees Twenty Five Thousand only)** with two sureties, in which one surety shall be a blood related surety, each for a like sum to the satisfaction of the learned Track Judicial Magistrate, Gobichettipalayam.

(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 on every alternative days at 10.30 a.m, and also shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal Appeal 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 STC NO.857 of 2016, by filing undertaking affidavit.

5. With the above directions, this Criminal Miscellaneous



Petition is ordered.

WEB COPY

CRIM No. 21744 of 2025



18-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

rri



CRIM No. 21744 of 2025



To
WEB COPY

- 1.G.K.Murugesan
S/o.Kuppusamy, No. 37,
Pudhupalayam, Gobichettypalayam
Taluk, Town, Erode District.
- 2.The III Additional District Sessions
Judge, Gobichettypalayam.
- 3.The Judicial Magistrate -No.I,
Gobichettypalayam.



WEB COPY

CRL MP No. 21744 of 2025



T.V.THAMILSELVI J.
rri

**CRL MP No. 21744 of
2025
IN CRL RC NO. 2416
OF 2025**



WEB COPY

TLMP No. 21744 of 2025



18-11-2025