



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-10-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP NO. 19555 OF 2025

IN

CRL RC No. 2099 of 2025

1. G.T.Janakiraman
S/o. Thukkaram, No.1B, East Mada
Street, Villivakkam, Chennai-600049.

Petitioner(s)

Vs

1. M.Govindarajulu
S/o. A.K. Megavarnam, No.25, Dayalau
Nagar 1st Street, Kolathur, Chennai-
600099.

Respondent(s)

PRAYER

To suspend the sentence dated 08.09.2025 passed in Crl.A.No.554 of 2024 on the file of the XXII Additional Sessions Judge, City Civil Court, Chennai confirming the order dated 24.10.2017 in C.C.No.7448 of 2019 XIX MM, Allikulma, Chennai pending disposal of Crl.R.C.



CRL RC No. 2099 of 2025

For Petitioner(s): A.D.Janarthanan
P. Rajkumar
M. Purusothaman
V. Velkumar
A. Anushya Biruntha

For Respondent:

ORDER

This petition has been filed to suspend the sentence dated 08.09.2025 passed in Crl.A.No.554 of 2024 on the file of the XXII Additional Sessions Judge, City Civil Court, Chennai confirming the order dated 24.10.2017 in C.C.No.7448 of 2019, on the file of XIX MM, Allikulma, Chennai pending disposal of Crl.R.C.

2. The petitioner herein is the accused in **C.C.No.7448 of 2019, on the file of XIX MM, Allikulma, 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 **1 year** and awarded to pay the compensation of **Rs.3,00,000/-**, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of **two month** as default sentence. Aggrieved by the same, the petitioner had

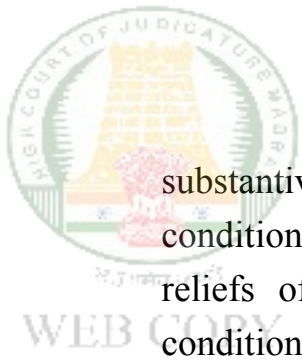


filed an appeal in **Crl.A No.554 of 2024** and the learned **XXII Additional Sessions Judge, City Civil Court, Chennai** , by order dated **08.10.2025**, had dismissed the above appeal, confirming the judgment and sentence imposed by the trial Court. Aggrieved by the same, the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that the petitioner has issued cheque to one Vimala, who is relative of the complainant but the same was misused by the defacto complainant. In fact, it is not a legally enforceable debt but the trial Court convicted the petitioner. Now, 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.50,000/- to the credit of C.C.No.7448 of 2019, on the file of XIX MM, Allikulma, Chennai**, 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;

(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



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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.

24-10-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The XIX Metropolitan Magistrate, Allikulam, Chennai.
2. The XXII Additional Sessions Judge, City Civil Court, Chennai
3. The Public Prosecutor, High Court, Madras.



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T.V.THAMILSELVI J.

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