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CRL MP No. 22612 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 26-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22612 of 2025

IN

CRL RC NO. 2559 OF 2025

P.J.Sivakumar

S/o.M.Jayapal, Door No.3/317-A,
Chennakrishna Street, Pedamneri,
Dharmapuri Taluk and District.

Petitioner(s)

Vs

M.P.Rajangam

S/o.Pachaiyappa Gounder, TNSTC,
Door No.5/1764, D.Paramasiva
Gounder Street, Elakkiyampatti,
Dharmapuri District.

Respondent(s)

PRAYER

To suspend the sentence imposed by the Learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Dharmapuri, Dharmapuri District in STC No.25/2021 dated 04.01.2025 and conformed by the Learned Additional District and Sessions Judge, Dharmapuri, Dharmapuri District in Crl.A.No.22/2025 dated 29.08.2025 pending disposal of the Crl.R.C.No.2559/2025.



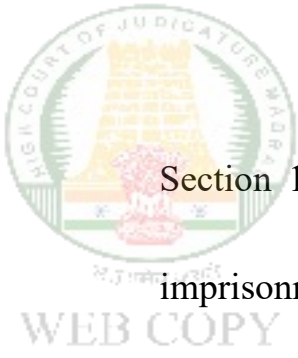
For Petitioner(s): E.Kannadasan
R.Thulasi
S.Priyadharshini
A.Ajay
T.Madhanraj
P.Agnes Samantha Ophelie

For Respondent:

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed by the Learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Dharmapuri, Dharmapuri District in STC No.25/2021 dated 04.01.2025 and confirmed by the Learned Additional District and Sessions Judge, Dharmapuri, Dharmapuri District in Crl.A.No.22/2025 dated 29.08.2025 pending disposal of the above Criminal Revision.

2. The petitioner herein is the accused in STC No.25/2021 on the file of the Learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Dharmapuri, Dharmapuri District. He was convicted for the offence under



Section 13 8of Negotiable Instruments Act and sentenced to undergo simple imprisonment for a period of one year and to pay a cheque amount of Rs.2,21,000/- as compensation to the respondent/complainant under Section 357(3) of Cr.P.C within a period of two months from 04.01.2023 failing which the accused has to undergo default sentence of simple imprisonment of six months. Challenging the same the petitioner filed Crl.A.No.22/2025 before the the Learned Additional District and Sessions Judge, Dharmapuri, Dharmapuri District who dismissed the same on 29.08.2025. Against which, the present Criminal Revision has been filed.

3. The learned counsel for the petitioner/accused submitted that he is having a valid defence available in the Criminal revision and the petitioner/accused has a fair chance of succeeding in the Criminal revision and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He also submitted that the petitioner is ready to abide the condition imposed by this Court.



4. 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.75,000/- (Rupees Seventy Five only), to the credit of STC No.25/2021 before the Learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Dharmapuri, Dharmapuri District 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 each for a like sum to the satisfaction of the Learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Dharmapuri, Dharmapuri District



(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 Aadhar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Saturday at 10.30 a.m., until the disposal of the Criminal revision 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.

5. With the above directions, this Criminal Miscellaneous Petition is ordered.

26-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No



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To.

1. The Learned Judicial Magistrate, Fast Track Court, (Magisterial Level), Dharmapuri, Dharmapuri District.
2. The Learned Additional District and Sessions Judge, Dharmapuri, Dharmapuri District.
3. The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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