



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 12-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 21222 OF 2025, CRL MP NO. 21223 OF 2025
IN CRL RC No. 2349 of 2025**

1. B.Vairamani
S/o.Late.Bojan, D.No.14, Ward No.15,
Sowdamman Kovil North Side,
V.O.C.South Street,
B.Ranganathapuram, Mela
Sokkanathapuram Village,
Bodinayakkanur Taluk, Theni District.

Petitioner(s)

Vs

1. D.Sivakumar
S/o.S.Duraipandian, Flat No.S-1, Sai
Radha Apartments, 4/141, Aadiapatham
Street, NGGO Colony, Coimbatore-641
022.

Respondent(s)



CRL MP No. 21222 of 2025

PRAYER

To suspend the sentence of imprisonment imposed in the judgement dated 21.07.25 in C.A.No172 of 2023 on the file of the I Additional District and Sessions Judge, Coimbatore, Confirming the conviction imposed in the judgement dated 22.05.2023 in CC.No.1391 of 2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore and enlarge the petitioner on bail pending disposal of the above revision petition before this Hon'ble Court

CRL MP No. 21223 of 2025

PRAYER

To grant an order of exemption from surrendering before the trial court in pursuance to the judgement dated 21.07.2025 in C.A.No.172 of 2023 on the file of the I Additional District and sessions Judge, Coimbatore confirming the conviction imposed in the judgement dated 22.05.2023 in CC.No.1391 of 2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore and enlarge the petitioner on bail pending disposal of the above revision petition before this Honble Court

CRL RC No. 2349 of 2025

For Petitioner(s): J.Ranjithkumar
K.Vasanthanayagan

For Respondent:

ORDER

These petitions have been filed to suspend the sentence of imprisonment imposed in the judgement dated 21.07.25 in C.A.No172 of 2023 on the file of the I Additional District and Sessions Judge, Coimbatore, Confirming the conviction imposed in the judgement dated 22.05.2023 in CC.No.1391 of 2018



on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore and enlarge the petitioner on bail pending disposal of the above revision petition and grant an order of exemption from surrendering before the trial court.

2. The petitioner herein is the accused in **CC.No.1391 of 2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore**. 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 3 **months** and awarded to pay a compensation of **Rs.5,00,000/-**, in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of **one month** as default sentence. Aggrieved by the same, the petitioner had filed an appeal in **C.A.No172 of 2023 on the file of the I Additional District and Sessions Judge, Coimbatore**, by order dated **21.07.2025**, 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 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:



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(i) the petitioner shall deposit a sum of **Rs.1,50,000/-** to the credit of **CC.No.1391 of 2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore**, 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 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 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 CMA No. 21222 of 2025 is ordered and CMA No. 21222 of 2025 is closed.

12-11-2025

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Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The I Additional District and Sessions Judge, Coimbatore
2. The Judicial Magistrate, Fast Track Court-II, Coimbatore



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T.V.THAMILSELVI J.

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