



WEB COPY

CRL RC No. 2391 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. 21595 OF 2025, CRL MP NO. 21596 OF 2025
IN CRL RC No. 2391 of 2025**

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

Petitioner(s)

Vs

1. SUBALAKSHMI
W/o.Sivakumar, Flat No.S-1, Sai Radha
Apartments, 4/141, Aadiapatham
Street, NGGO Colony, Coimbatore -
641022.

Respondent(s)

CRL MP No. 21595 of 2025

PRAYER

To suspend the sentence of imprisonment imposed in the judgment dt. 21.07.2025 in C.A.No. 171/2023 on the file of I Additional District and Sessions Judge, Coimbatore, confirming the conviction imposed in the judgment dt. 22.05.2023 in C.C.No. 1466/2018 on the file of the Judicial



Magistrate, Fast Track Court-II, Coimbatore and enlarge the petitioner on bail pending disposal of the above Crl.RC

CRL MP No. 21596 of 2025

PRAYER

To grant an order of exemption from surrendering before the trial court in pursuance to the judgment dt. 21.07.2025 in C.A.No. 171/2023 on the file of I Additional District and Sessions Judge, Coimbatore, Confirming the conviction imposed in the judgment dt. 22.05.2023 in C.C.No. 1466/2018 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.

CRL RC No. 2391 of 2025

For Petitioner(s): J.Ranjith Kumar
K.Vasanthanyagan

For Respondent:

ORDER

These petitions have been filed to suspend the sentence of imprisonment imposed in the judgment dated 21.07.2025 in C.A.No. 171/2023 on the file of I Additional District and Sessions Judge, Coimbatore, confirming the conviction imposed in the judgment dated 22.05.2023 in C.C.No. 1466/2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore and enlarge the petitioner on bail pending disposal of the above Criminal Revision Case and to exempt the petitioner from surrender before the Trial Court.

2. The petitioner herein is the accused in C.C.No. 1466/2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore. He was found guilty of the offence under Sections 138 of N.I Act and sentenced to undergo 3 months Simple Imprisonment and also directed to pay a compensation of



Rs.5,00,000/-, in default, to undergo one month Simple Imprisonment.

Aggrieved by the same, the petitioner had filed appeal in C.A.No. 171/2023 on the file of I Additional District and Sessions Judge, Coimbatore, by judgment dated 21.07.2025, it had dismissed the appeal against which the present revision has been filed.

3. The learned counsel for the petitioner/accused would submit that the courts below failed to take note of the fact that there is difference of signature in promissory note and the case cheque and also failed consider the rebuttal of presumption in the aspect of the amount filled in the cheque. Further, 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.1,00,000/-** to **the credit of** C.C.No. 1466/2018 on the file of the Judicial Magistrate, Fast Track Court-II, Coimbatore, within a period of 3 weeks from today. Failing which, the order passed by this Court shall stand automatically cancelled and the complainant is permitted to withdraw the same by filing undertaking affidavit.

(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



WEB COPY

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 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, Crl.MP. No. 21595 of 2025 is ordered and Crl.MP. No. 21596 of 2025 is closed.

18-11-2025

Pbl

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To

1. The Judicial Magistrate, Fast Track Court-II, Coimbatore.

2. The I Additional District and Sessions Judge, Coimbatore



WEB COPY

CRL RC No. 2391 of 2025



T.V.THAMILSELVI J.
pbl

**CRL MP NO. 21595 OF
2025, CRL MP NO.
21596 OF 2025
IN CRL RC No. 2391 of
2025**

18-11-2025