



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 18-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 21643 OF 2025,CRL MP NO. 21645 OF 2025
IN CRL RC No. 2408 of 2025**

1. Sri Senthil Steel Company
Rep by its Proprietary T.Rajendran
No.75/132, Kannaiyan Street, Opp KSS
Mahal, Thirunagar Colony, Erode-638
003 and another

2. T.Rajendran
Proprietary, Sri Senthil Steel Company,
No.75/132, Kannaiyan Street, OPP KSS
Mahal, Thirunagar Colony, Erode-638
003

Petitioner(s)

Vs

1. Jaith Steel
Rep by its Managing Partner N.Akbar
Ali, New No.45, Old NO.24, Venkata
Maistry Street, G Block, 2nd Floor,
Mannady, Chennai-600 001

Respondent(s)

CRL MP No. 21643 of 2025

PRAYER

To suspend the sentence of imprisonment imposed in the judgement dated 08.09.2025 in C.A.No.942 of 2024 on the file of the XIX Additional City Civil Judge, Chennai confirming the conviction imposed in the judgement dated 25.10.2024 in STC.No.1305 of 2021 on the file of the Learned VIII Metropolitan



Magistrate, George Town, Chennai and enlarge the petitioner on bail pending disposal of the above revision petition before this Honble Court

CRL MP No. 21645 of 2025

PRAYER

To grant an order of exemption from surrendering before the trial court in pursuance to the judgement dated 08.09.2025 in C.A.No.942 of 2024 on the file of the XIX Additional City Civil Judge, Chennai confirming the conviction imposed in the judgement dated 25.10.2024 in STC.No.1305 of 2021 on the file of the Learned VIII Metropolitan Magistrate, George Town, Chennai and enlarge the petitioner on bail pending disposal of the above revision petition before this Honble Court

CRL RC No. 2408 of 2025

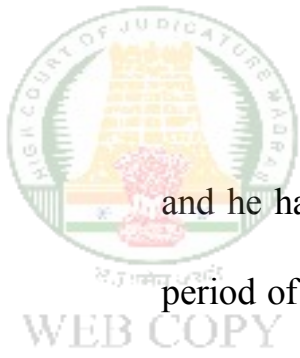
For Petitioner(s): J.Ranjithkumar
K.Vasanthanayagan

For Respondent:

ORDER

This petitions have been filed to suspend the sentence of imprisonment imposed in the judgement dated 08.09.2025 in C.A.No.942 of 2024 on the file of the XIX Additional City Civil Judge, Chennai confirming the conviction imposed in the judgement dated 25.10.2024 in STC.No.1305 of 2021 on the file of the Learned VIII Metropolitan Magistrate, George Town, Chennai and enlarge the petitioner on bail pending disposal of the above revision petition and to grant an order of exemption from surrendering before the trial court.

2. The petitioner herein is the accused in **STC.No.1305/2021 on the file of the VIII Metropolitan Magistrate, George Town, 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 **12 months** and awarded to pay the cheque amount of **Rs.60,00,000/-** , in default of payment of compensation, the petitioner shall undergo a simple imprisonment for a period of **three month** as default sentence. Aggrieved by the same, the petitioner had filed an appeal in **C.A.No.942 of 2024 on the file of the XIX Additional City Civil Judge, Chennai**, 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 is no evidence on record to prove the transaction between the parties. The initial burden of proof is always on the complainant, which he failed to discharge to the satisfaction of the Court and also the Courts below failed to note that the burden casted in Section 138 of N.I Act is not as that heavy as that is casted on te prosecution in respect of other penal offences. Further, the complaint itself is incompetent as it was filed without any valid power of attorney or authorisation letter from the partnership firm, hence 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.15,00,000/- to the credit of STC.No.1305/2021 on the file of the VIII Metropolitan Magistrate, George Town, Chennai**, within a period of 8 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



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(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 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. 21643 of 2025 is ordered and CMA No. 21645 of 2025 is closed.

18-11-2025

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Index: Yes/No
Speaking/Non-speaking order
Internet: Yes
Neutral Citation: Yes/No



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CRL RC No. 2408 of 2025



T.V.THAMILSELVI J.
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To

1. The XIX Additional City Civil Judge, Chennai.
2. The VIII Metropolitan Magistrate, George Town, Chennai

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2025, CRL MP NO.
21645 OF 2025
IN CRL RC No. 2408 of
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