



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 10-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

**CRL MP NO. 20850 OF 2025,CRL MP NO. 20852 OF 2025
IN CRL RC No. 2297 of 2025**

1. Gajalakshmi Ranganathan
M/s. Oren Hydrocarbons Private Lts,
Having Office at No.28/22, Saravana
Street, T. Nagar, Chennai-600017. and
another

2. K.Kannan
M/s. Oren Hydrocarbons Private Lts,
Having Office at No.28/22, Saravana
Street, T. Nagar, Chennai-600017.

Petitioner(s)

Vs

1. M/s.Spac Starch Products (india) Lt.,
Rep by its Deputy Manager, Mr. V.
Suresh Kumar, Having its business at
Poonachi Village, Anthiyur Taluk,
Erode District.

2.M/s. Oren Hydrocarbons Private Ltd,
M/s. Oren Hydrocarbons Private Ltd,
Having Office at No.28/22, Saravana



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CRL RC No. 2297 of 2025



Street, T. Nagar, Chennai-600017. Rep
by Director

Respondent(s)

CRL MP No. 20850 of 2025

PRAYER

To suspend the sentence passed by the learned II Additional District and Sessions Judge, Erode in C.A.No.233 of 2023, confirming the judgement and sentence dated 16.06.2023 passed in S.T.C.No.341 of 2019 on the file of the FTC No.2, At ML, Erode, and enlarge the petitioners on bail, pending disposal of the above Criminal revision.

CRL MP No. 20852 of 2025

PRAYER

To exempt the Petitioners from surrendering in connection with the sentence passed by the learned II Additional District and Sessions Judge, Erode in C.A.No.233 of 2023, confirming the judgement and sentence dated 16.06.2023 passed in S.T.C.No.341 of 2019 on the file of the FTC No.2, At ML, Erode, pending disposal of the above Criminal Revision.

CRL RC No. 2297 of 2025

For Petitioner(s): Tarun Rao Kallakuru

For Respondent:

ORDER

These petitions have been filed to suspend the sentence passed by the learned II Additional District and Sessions Judge, Erode in C.A.No.233 of



2023, confirming the judgement and sentence dated 16.06.2023 passed in S.T.C.No.341 of 2019 on the file of the Fast Track Court No.2, Magistrate Level, Erode, and enlarge the petitioners on bail, pending disposal of the above Criminal revision and to exempt the petitioner from surrendering before the Trial Court.

2. The petitioners herein is the accused in STC.No. 341 of 2019 on the file of the learned Fast Track Court No.2, Magistrate Level, Erode. He was found guilty of the offence under Sections 138 of Negotiable Instrument Act, and he has been convicted and sentenced as under:

S.No.	Conviction	Sentence
1	Section 138 of N.I Act	to undergo simple imprisonment for a period of three (3) months and to pay a compensation of Rs.36,80,880/-, in default to undergo simple imprisonment for three months.

Aggrieved by the same, the petitioners had filed appeal in C.A.No. 233 of 2023 and the learned II Additional District and Sessions Judge, Erode, by order dated 23.09.2025, had dismissed the appeal and confirmed the conviction and sentence, against which the present revision has been filed.



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3. The learned counsel for the petitioners/accused would submit that the first accused company had issued a letter dated 03.01.2019 requesting the complainant to present the cheques only after obtaining confirmation from them but the Trial Court has erroneously relied upon the oral and testimony of the complainant stating that the revision petitioners had requested the presentation of the cheques. In fact, the cheques were presented on 15.02.2019 while the order of attachment by the Income Tax Department was passed on 12.02.2019, The revision petitioner has documentary evidence to substantiate this, however, the courts below relied solely on the oral evidence of the complainant. The Courts below failed to consider that account was blocked pursuant to a statutory order. It is firstly impossible that any person would request presentation of cheques in face of such an order and second, the timeline from the date of cheque presentation to receipt of notice and the statutory 15 days period thereafter falls squarely within the duration during which the Income Tax Attachment order was in force. All these facts are supported by the documentary evidence which the Courts below have disregarded. Hence, there are arguable



points available in the Criminal Revision Case and the petitioners/accused have got a fair chance of succeeding in the Criminal Revision Case and hence, the substantive sentence imposed against the petitioner/accused may be suspended.

Further it is his specific submission that the petitioner was enlarged on bail during the time of pendency of the appeal before the first appellate Court and the petitioner may be exempted from surrendering before the Trial Court. He would submit that the petitioner is ready to abide the condition imposed by this Court.

4. Heard the learned counsel appearing on either side and also perused the materials placed on record.

5. 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 and the learned Government Advocate (Crl. Side) appearing for the respondent police, 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 Case, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) The petitioners/accused are ordered to be released on bail, on his 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 Fast Track Court No.2, Magistrate Level, Erode. Further, the petitioner shall deposit a sum of Rs. 5,00,000/- before the Trial court within a period of 4 weeks from today and the defacto complainant is permitted to withdraw the same.

(b) The petitioners/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 Aadhaar Cards or Bank Pass Books to ensure their identities.

(c) The petitioners 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.

7. With the above directions, CRL MP No. 20850 is ordered and CRL MP No. 20852 of 2025 is closed.

10-11-2025

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Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To

1. The Fast Track Court No.2, Magistrate Level, Erode

2. The II Additional District and Sessions Judge, Erode.



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CRL RC No. 2297 of 2025



T.V.THAMILSELVI J.

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**CRL RC No. 2297 of
2025
AND CRL MP NO.
20850 OF 2025,CRL MP
NO. 20852 OF 2025**

10-11-2025