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Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 16.12.2025

CORAM

THE HONOURABLE MR JUSTICE SUNDER MOHAN

Crl.M.P.No.24057 of 2025
in
Crl.R.C.No.2753 of 2025

S.Ravi

...Petitioner

-VS-

A.G.Shivaraman

...Respondent

PRAYER: Criminal Miscellaneous Petition filed under Section 438(1) of BNSS, to suspend the execution of the sentence passed in C.A.No.369 of 2024 by the Learned XIX Additional City Civil Court, Chennai dated 08.09.2025 confirming the Judgement passed by the Metropolitan Magistrate, FTC-II, Egmore @ Allikulam in STC No.9984 of 2022 dated 18.04.2024 and the petitioner may be released on bail pending disposal of the above revision.

For Petitioner : Mr.L.Thiyagaiya

ORDER

This Criminal Miscellaneous Petition has been filed seeking to



Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

suspend the sentence passed by the learned XIX Additional City Civil Court, Chennai in Crl.A.No.369 of 2024 dated 08.09.2025, confirming the judgment of conviction and sentence passed by the learned Metropolitan Magistrate, Fast Track Court-II, Egmore @ Allikulam Chennai, in STC No.9984 of 2022 dated 18.04.2024.

2. The case of the respondent is that the petitioner had issued cheque for a sum of Rs.5,00,000/- towards discharge of the liability, and when the said cheque was presented for collection, it was returned for the reason “Funds Insufficient” and in spite of statutory notice, the petitioner did not pay the cheque amount.

STC.No.9984 of 2022



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Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

4. Challenging the above conviction and sentence, the petitioner/accused preferred an appeal in Crl.A.No.369 of 2024 before the learned the XIX Additional City Civil Court at Chennai. The Appellate Court, vide judgment dated 08.09.2025, dismissed the appeal filed by the petitioner/accused and confirmed the conviction and sentence imposed by the Trial Court.

5. Aggrieved by the above judgment of the Appellate Court, the petitioner/accused has preferred this Revision. Pending revision, the petitioner has sought for suspension of sentence in this Criminal Miscellaneous Petition.

6. The learned counsel for the petitioner would submit that there are several arguable points in the above revision which requires consideration; and that to show his bonafides, the petitioner is willing to deposit



Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

Rs.1,50,000/- and prayed for suspension of sentence.

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7. Heard the learned counsel for the petitioner and perused the materials available on record.

8. Considering the submissions made by the learned counsel for the petitioner that there are several arguable points in the above revision which requires consideration and the fact that the petitioner is willing to deposit Rs.1,50,000/-, this Court is inclined to suspend the sentence imposed on the petitioner by the trial court, subject to the following conditions, till the disposal of the above Criminal Revision :

(i) The petitioner/Accused shall deposit a sum of Rs.1,50,000/- [Rupees One Lakh Fifty Thousand Only), to the credit of STC No.9984 of 2022 on the file of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore @ Allikulam Chennai, within a period of four weeks from the date of receipt of a copy of this order;

(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



WEB COPY



Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Case;

(iii) Thereafter, the sentence of imprisonment alone imposed on the petitioner/Accused shall be suspended, on his executing a bond for a sum of Rs.10,000/- with two sureties each for a likesum to the satisfaction of the learned Metropolitan Magistrate, Fast Track Court-II, Egmore @ Allikulam Chennai;

(iv) 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;

(v) The petitioner shall appear before the trial Court on the first working day of every month at 10.30 a.m. until the disposal of the 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 317 Cr.P.C. 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; and

(vi) On the failure of the petitioner/Accused, depositing the said amount, it is open to the Trial Court to commit the petitioner/accused into custody for undergoing the sentence.



WEB COPY



Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

9. Accordingly, this Criminal Miscellaneous Petition is ordered.

16.12.2025
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To

- 1.The XIX Additional City Civil Court, Chennai.
- 2.The Metropolitan Magistrate, Fast Track Court-II, Egmore @ Allikulam Chennai;
- 3.The Public Prosecutor,
High Court, Madras.

SUNDER MOHAN, J.

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WEB COPY



Crl.M.P.No.24057 of 2025
in Crl.R.C.No.2753 of 2025

Crl.M.P.No.24057 of 2025
in
Crl.R.C.No.2753 of 2025

16.12.2025
(2/2)