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CRL MP No. 22279 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

CORAM

THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22279 of 2025

IN

CRL RC NO. 2511 OF 2025

MURUGANANTHAN

S/o.K.Periyannan, Residing at
D.No.16/47, Maniyapuram, Coonoor
Taluk, The Nilgiris.

Petitioner(s)

Vs

Mario Leo Joseph
Son and Legal Heir of Joseph, Door
No.11/12A, Kerada, All are residing at
122/151A, Annai Illam, V.K.Street,
Vannerpet, Coonoor, The Nilgiris.
R.Joseph (Since Deceased), S/o.Late
G.Raju (Late).

Respondent(s)

PRAYER

To suspend the sentence imposed on the petitioner in the judgment dated 24/07/2025 passed by the Honble Court of Sessions Division Magalir Neethimandram of the Nilgiris District at Udhagamandalam in Crl.A.No.37/2019 by confirming the conviction and sentence imposed by the Learned Fast Track Judicial Magistrate Court, Coonoor in CC No.71/2013



dated 29/03/2019 and enlarge the petitioner on bail pending disposal of the Criminal Revision Petition.

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For Petitioner(s): E.Chandrasekaran
P.Srikandan
E.Raam Vijay
A.Vinothini

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed on the petitioner in the judgment dated 24.07.2025 passed by the Court of Sessions Division Magalir Neethimandram of the Nilgiris District at Udhagamandalam in Crl.A.No.37/2019 by confirming the conviction and sentence imposed by the Learned Fast Track Judicial Magistrate Court, Coonoor in CC No.71/2013 dated 29/03/2019 and enlarge the petitioner on bail pending disposal of the Criminal Revision Petition.

2. The petitioner herein is the accused in CC No.71/2013 on the file of the learned Fast Track Judicial Magistrate Court, Coonoor He was found guilty



of the offence under Sections 138 of Negotiable Instrument Act and the accused is convicted under Section 255(2) of Cr.P.C. and ordered to undergo the sentence of simple imprisonment for the period of one year and also awarded a compensation of Rs.10,50,000/- to be paid to the complainant under Section 357(3) within a period of two months from the date of order and in the event of non payment of compensation ordered to undergo simple imprisonment for a period of 3 months and no fine was imposed. Aggrieved by the same, the petitioner filed an appeal in Crl.A No.37 of 2019, and by order dated 24.07.2025 the Court of Sessions Division Magalir Neethimandram of the Nilgiris District at Udthagamandalam dismissed the appeal, thereby confirming the judgment and sentence imposed by the trial Court. Hence, the present revision has been filed.

3. The learned counsel for the petitioner/accused submitted that he is having a valid defence available in the Criminal revision and the petitioner/accused has a fair chance of succeeding in the Criminal revision and hence, the substantive sentence imposed against the petitioner/accused may be suspended. **He also submitted that they are ready to contest the main**



Crl.R.C as the signature is a forged one.

4. 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, 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, the reliefs of suspension of sentence and bail are granted on the following conditions:

(a) the petitioner/accused is ordered to be released on bail, on 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 Learned Fast Track Judicial Magistrate Court, Coonoor.

(b) The petitioner/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 Aadhar Cards or Bank Pass Books to ensure their identities.

(c) The petitioner shall appear before the Trial Court on



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every Tuesday at 10.30 a.m., until the disposal of the Criminal 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 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.

5. With the above directions, this Criminal Miscellaneous Petition is ordered.

24-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

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To.

1. The learned Sessions Division Magalir Neethimandram of the Nilgiris District at Udhagamandalam

2. The Learned Fast Track Judicial Magistrate Court, Coonoor

3. The Public prosecutor, High Court, Madras.



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T.V.THAMILSELVI, J.

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24-11-2025

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