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CRL MP No. 22143 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 24-11-2025

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THE HONOURABLE MRS.JUSTICE T.V.THAMILSELVI

CRL MP No. 22143 of 2025

IN

CRL RC NO. 2498 OF 2025

V.Venkatesan

S/o.Thirubal Naidu, No.28, Morarji
street, Vijayalakshmipuram, Ambattur,
Chennai-600 053

Petitioner(s)

Vs

R.Vasudevan

S/o.K.C.Ramamurthy, NO.34, Kanniah
Chetty Street, Ambattur, Chennai-600
053

Respondent(s)

PRAYER

To suspend the sentence and enlarge the petitioner on bail against the judgement of the Honble XVII Additional City Civil Court Judge at Chennai dated 25.10.2025 in Crl.A.No.499 of 2025 confirming the judgement of conviction and sentence dated 25.04.2024 imposed by the Learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai on 03.03.2025 in STC.No.2700 of 2023

For Petitioner(s): J.Chelladurai Caldwell



G.Sreenivasan
M.Alexander

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For Respondent: Mr.C. Prakasam

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence and enlarge the petitioner on bail against the judgement of the XVII Additional City Civil Court Judge at Chennai dated 25.10.2025 in CrI.A.No.499 of 2025 confirming the judgement of conviction and sentence dated 25.04.2024 imposed by the Learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai on 03.03.2025 in STC.No.2700 of 2023.

2. The petitioner herein is the accused in STC.No.2700 of 2023 on the file of the learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai. He was found guilty of the offence under Sections



138 of Negotiable Instrument Act and convicted for the said offence u/s 255 (2)

of Cr.P.C and imposed sentence of simple imprisonment for 9 months to the accused and as per u/s 357 of Cr.P.C. Further imposed compensation of Rs.60,00,000 along with 3 % per annum for the said cheque amount from the date of dishonor of case cheque to till date to the accused for the offence u/s 138 of N.I.Act and directed the accused to pay the said compensation amount to the complainant within one month from this date and in default of payment of said compensation then the accused shall undergo three months simple imprisonment. Aggrieved by the same, the petitioner filed an appeal in CCrl.A.No.499 of 2025 , and by order dated 25.10.2025 on the file of the XVII Additional City Civil Court Judge at Chennai, 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 there is no legally enforceable debt between the petitioner and the defacto complainant and the prosecution has failed to prove the case beyond reasonable



doubt. He further submitted that the petitioner is having a valid defence available in the Criminal Appeal 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 the petitioner is ready to abide the condition imposed by this Court.

4. The learned counsel for the respondent raised strong objections stating that the petitioner have cheated the defacto complainant and swindled the money of the defacto complainant. He further submitted that the prosecution has proved the case beyond reasonable doubt.

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, 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:

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(a) the petitioner is directed to deposit a sum of Rs.12,00,000/- (Rupees twelve Lakhs only), to the credit of STC.No.2700 of 2023 on the file of the Learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai within a period of four weeks from the date of receipt of a copy of this order.

(b) 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 Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai

(c) 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.

(d) 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.

(e) the defacto complainant is permitted to withdraw the amount, deposited by the petitioner, in STC.No.2700 of 2023 Learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai , on proper identification, in the manner known to law.

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

Post the matter under the caption “ for reporting compliance “ on 28.01.2026.

24-11-2025



Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

To.

1. The learned XVII Additional City Civil Court Judge at Chennai.
2. The Learned Metropolitan Magistrate, Fast Track Court at Magisterial Level-IV at George Town , Chennai
3. The Public Prosecutor, High Court, Madras



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T.V.THAMILSELVI, J.

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