



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. 22326 OF 2025 in Crl.R.C.No.2514 of 2025

1. K.Muthurathinam

S/o.Kandasamy, Proprietor - A1 Rich
Food Restaurant, C/o.Hotel Jai Kantha,
Having address at 1/352/2, Trichy Main
Road, Avinashpalayam Sungam,
Avinashpalayam Post, Koduvai Via,
Tirupur District - 638 660. Currently
residing at Site No.88, II Street,
S.B.K.Illam, Balaji Nagar, Kovil Vazhi
to Nallur Road, K.Chettipalayam,
Tiruppur.

Petitioner(s)

Vs

1. N.Kathiresan

S/o.Narayanasamy, D.No.3/479,
Sengadu Thottam, Kovilpalayam
Puthur, Koduvai Via, Avinashpalayam
Taluk, Tirupur District.

Respondent(s)

CRL MP No. 22326 of 2025

PRAYER

To suspend the sentence imposed in judgement dated 29.09.2016 made in Crl.A.No.70/2016 on the file of the Learned 1st Additional District and Sessions Judge, Tiruppur by conforming the judgement in CC.No.229/2013 by Learned



Judicial Magistrate, Fast Track Court, Tiruppur and release the petitioner on bail pending Criminal Revision Petition

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For Petitioner(s): S.Bharanidharan
P.Vetrivel

ORDER

This Criminal Miscellaneous Petition has been filed by the petitioner, to suspend the sentence imposed upon the appellant in Crl.A.No.70/2016 on the file of the Learned 1st Additional District and Sessions Judge, Tiruppur on 09.09.2016 and enlarge the petitioner herein on bail pending disposal of the appeal.

2. The petitioner herein is the accused in CC.No.229 of 2013 by the Learned Judicial Magistrate, Fast Track Court, Tiruppur. He was found guilty of the offence under Sections 138 of Negotiable Instruments Act and convicted and sentenced to undergo rigorous imprisonment of one year and a fine of Rs.1,000/- in default to undergo one month simple imprisonment. Challenging the same the petitioner filed C.A.No.70 of 2016 on the file of the Learned 1st



Additional District and Sessions Judge, Tiruppur and the same was dismissed on 09.09.2016. Challenging the same the present appeal has been filed.

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3.The learned counsel for the petitioner/accused would submit that they are ready and willing to settled the entire amount of Rs.2,00,000/- He further submitted that ther are arguable points available in the Criminal appeal and the petitioner/accused has got a fair chance of succeeding in the Criminal appeal and hence, the substantive sentence imposed against the petitioner/accused may be suspended. He would submit that the petitioner is ready to abide the condition imposed by this Court.

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 appeal 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



appeal, 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.2,00,000/- (Rupees Two lakhs only), to the credit of CC.No.229 of 2013 on the file of the Learned Judicial Magistrate, Fast Track Court, Tiruppur on or before 28.11.2025 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, in which one surety must be a blood related surety, each for a like sum to the satisfaction of the Learned Judicial Magistrate, Fast Track Court, Tiruppur

(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 Aadhaar Cards or Bank Pass Books to ensure their identities.

(d) The petitioner shall appear before the Trial Court on every Tuesday at 10.30 a.m., until the disposal of the Criminal Appeal 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 CC.No.229 of 2013 on the file of the Learned Judicial Magistrate, Fast Track Court, Tiruppur, on proper identification, in the manner known to law.

(f) the petitioner shall not to have any communication with the victim family.

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

6. Post the matter under the caption “ for reporting complaisance “ on 28.11.2025”.

24-11-2025

Index: Yes/No

Speaking/Non-speaking order

Internet: Yes

Neutral Citation: Yes/No

Note: The Registry is directed to issue order copy on 25.11.2025.



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To.

1. The learned 1st Additional District and Sessions Judge, Tiruppur
2. The learned Judicial Magistrate, Fast Track Court, Tiruppur
3. The Public Prosecutor, High Court, Madras.
4. The Additional Superintendent, Central Prison, Coimbatore.



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CRL.M.P.No. No. 22326 of 202



T.V.THAMILSELVI ,J.

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**CRL RC No. 2514 of
2025**

**AND CRL MP NO.
22326 OF 2025**

24-11-2025

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