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CRL MP No. 24417 of 2025



IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED: 19-12-2025

CORAM

THE HONOURABLE MR.JUSTICE SUNDER MOHAN

**CRL MP No. 24417 of 2025
IN CRL RC NO. 2812 OF 2025**

K.Manavazhagan

Petitioner(s)

Vs

B.Vignesh

Respondent(s)

PRAYER

To suspend the sentence imposed in Judgement in STC No.110 of 2022 dated 25.11.2024 passed by the learned Judicial Magistrate Court, Thiruthuraipoondy and confirming the Judgment in Crl.A.No.3 of 2025 dated 01.09.2025 passed by the learned Principal District and Sessions Judge, Thiruvarur.

For Petitioner(s): S. Sekar

ORDER

This Criminal Miscellaneous Petition has been filed seeking to suspend the sentence imposed on the petitioner/Accused by Judgment dated 25.11.2024 passed in STC No.110 of 2022 by the learned Judicial Magistrate, Fast Track Court, Thiruthuraipoondi and confirmed vide Judgment dated 01.09.2025 in C.A No.3 of 2025 by the learned Principal District and Sessions Judge, Thiruvarur.



2. It is the case of the respondent/complainant that towards discharge of liability, the petitioner had issued a cheque for Rs.4,00,000/- (Rupees Four Lakhs only) to the respondent and when the said cheque was presented for collection, it was returned for the reason “Funds Insufficient” and inspite of statutory notice, the petitioner did not make any payment.

3. The petitioner/Accused was convicted by the Trial Court for the offence under Section 138 of the Negotiable Instruments Act and sentenced to undergo simple imprisonment for one year and to pay Rs.4,00,000/- as compensation to the complainant, in default to undergo simple imprisonment of two months.

4. Challenging the above conviction and sentence, the petitioner/Accused preferred C.A.No.3 of 2025. The appellate Court, vide Judgment dated 01.09.2025 confirmed the Judgment of conviction and sentence passed by the Trial Court.

5. Aggrieved by the same, the petitioner/Accused has preferred Crl.R.C.No.2812 of 2025 and pending revision has sought for suspension of sentence in this Criminal Miscellaneous Petition.



6. The learned counsel for the petitioner/Accused submitted that there are several arguable points raised in the revision, which require consideration by this Court; that, to show his *bona fides*, the petitioner is

7. Considering the fact that there are arguable points raised in the revision; that the revision is not likely to be taken up in the near future; and that the petitioner is willing to deposit 30% of the cheque amount, this Court is inclined to suspend the sentence imposed on the petitioner herein/Accused and exempt him from surrendering before the trial Court.

8. Accordingly, this Criminal Miscellaneous Petition is **allowed** and till the disposal of the Criminal Revision case, the sentence imposed upon the petitioner/Accused by the trial Court, is suspended, on the following conditions:

(i) The petitioner/Accused shall deposit a sum equivalent to 30% of the cheque amount, to the credit of STC No.110 of 2022 on the file of the learned Judicial Magistrate, Fast Track Court, Thiruthuraipoondi, 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 periodically. The disbursal of this amount shall be decided at the culmination of the Criminal Revision Cases;



(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 Judicial Magistrate, Fast Track Court, Thiruthuraipoondi;

(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 she 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 her 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.

19-12-2025

skr

Index:Yes/No

Speaking/Non-speaking order

Internet:Yes

Neutral Citation:Yes/No

To



1. Learned Judicial Magistrate, Fast Track Court, Thiruthuraipoondi
2. Learned Principal District & Sessions Judge, Thiruvarur.
3. The Public Prosecutor, Madras High Court.

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SUNDER MOHAN J.
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