



CRL MP(MD) NO. 6808 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
WEB COPY

DATED: 04-06-2025

CORAM
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) NO. 6808 2025
IN
CRL RC(MD) NO. 617 OF 2025

A.Arockiyasamy, M/57 yrs,
S/o. Adaikkalasamy,
D.No.120, Adakkara Street,
M.Chavadi,
Thanjavur Town and District.

... Petitioner

Vs.

D.Ramesh, M/ 44 yrs,
S/o. Dharmaraj,
D.No.587, MIG Neithal,
New Housing Unit,
Thanjavur Town and District.

... Respondent

For Petitioner : Mr.M.Karunanithi
For Respondent : Mr.M.Vasanthan

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence

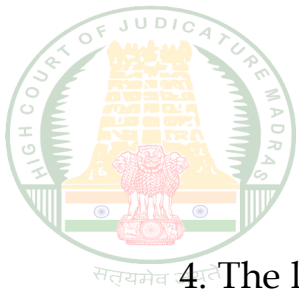


CRL MP(MD) NO. 6808 2025

imposed on the petitioner in Crl.A.No.290 of 2023 dated 19.09.2024 on the file of the learned II Additional District and Sessions Judge, Thanjavur, confirming the conviction imposed in the judgment, dated 27.06.2023 passed in S.T.C.No.198 of 2021 on the file of the learned Judicial Magistrate (Fast Track), Thanjavur and enlarge the petitioner on bail pending disposal of the Criminal Revision Case.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 27.06.2023 for the offence under Section 138 of the Negotiable Instrument Act, and the trial Court sentenced him to undergo simple imprisonment for a period of one year and to pay of Rs.1,60,000/- (Rupees One Lakh and Sixty Thousand only) as compensation to the respondent, in default, to undergo simple imprisonment for a period of one month in S.T.C.No.198 of 2021 on the file of the learned Judicial Magistrate (Fast Track), Thanjavur.

3. The learned II Additional District and Sessions Judge, Thanjavur, confirmed the conviction and sentence, and dismissed the Criminal Appeal No.290 of 2023, dated 19.09.2024. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.



CRL MP(MD) NO. 6808 2025

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been settled.

4. The learned counsel for the petitioner submitted that 60% of the amount has

5. The respondent appeared before this Court and admitted that he has received 60% of the amount and is willing to compromise the matter with the petitioner.

6. In view of the above, the fact remains that there are arguable points involved in this criminal revision and further, the criminal revision is not likely to be taken up for final hearing in the near future, this Court is of the considered view that the petitioner herein is entitled to the relief of grant of suspension of sentence.

7. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :

(i) The petitioner shall execute 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 Judicial Magistrate (Fast Track) Court, Thanjavur;



CRL MP(MD) NO. 6808 2025

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(ii) 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 to ensure their identity; and

(iii) The petitioner shall appear before the learned Judicial Magistrate (Fast Track) Court, Thanjavur, on the first working day of every English calendar month at 10.30 a.m., until further orders.

sd/-
04/06/2025

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/06/2025
Sub-Assistant Registrar (C.S. I / II / III / IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

MRN
TO

1.THE JUDICIAL MAGISTRATE (FAST TRACK) COURT,
THANJAVUR.

2.DO THROUGH
THE CHIEF JUDICIAL MAGISTRATE,
THANJAVUR DISTRICT @ KUMBAKONAM.

3.THE II ADDITIONAL DISTRICT AND SESSIONS JUDGE,
THANJAVUR.

4.THE SUPERINTENDENT,
CENTRAL PRISON, TRICHY.



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ORDER
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IN
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Date :04/06/2025

HPS/05.06.2025 /5P/5C

Madurai Bench of Madras High Court is issuing certified copies in this format from 17/07/2023