



CRL MP(MD) NO. 6807 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT
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DATED: 04-06-2025

CORAM
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) NO. 6807 2025
IN
CRL RC(MD) NO. 616 OF 2025

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

... Petitioner

Vs.

A.Sugumar, M/ 70 yrs,
S/o. Late Arumuga Nadar,
D.No.3081, Othaivarkar Street,
East Gate,
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



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imposed on the petitioner in Crl.A.No.293 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 28.07.2023 passed in S.T.C.No.179 of 2020 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 28.07.2023 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.4,04,000/- (Rupees Four Lakhs and Four Thousand only) as compensation to the respondent, in default, to undergo simple imprisonment for a period of one month in S.T.C.No.179 of 2020 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.293 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



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suspension of sentence.

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4. The learned counsel for the petitioner submitted that the entire amount has been settled.

5. The respondent appeared before this Court and admitted the receipt of the entire amount.

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;



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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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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

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