



Crl.M.P.(MD).No.10632 of 2025

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BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 19.08.2025

CORAM:

THE HON'BLE MRS JUSTICE L.VICTORIA GOWRI

Crl.M.P.(MD).No.10632 of 2025

in

Crl.RC.(MD).No.1033 of 2025

C.Balasubramanian

Petitioner(s)

Vs

Ramesh

... Respondent

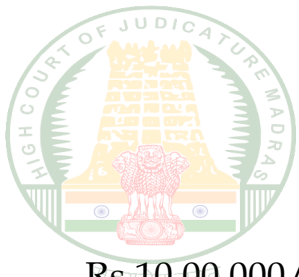
For Petitioner : Mr.P.Rajagopalan

For Respondent : Mr.V.S.Kumara Guru

ORDER

This Criminal Miscellaneous Petition has been filed to suspend the sentence and grant bail in C.A.No.12 of 2023 dated 24.07.2024 on the file of the learned Principal District Court, Karur, partly allowed the judgment and decree passed by the District Munsif cum Judicial Magistrate, Krishnarayapuram in S.T.C.No.10 of 2021 dated 06.10.2022.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 06.10.2022 for the offence under Section 138 of the Negotiable Instrument Act, 1881, and the trial Court sentenced him to undergo simple imprisonment for a period of one year and to pay a cheque amount of



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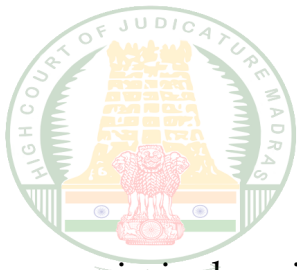
Rs.10,00,000/- (Rupees Ten Lakh only) as compensation to the respondent, in default, to undergo simple imprisonment for a period of three months and to pay a fine amount of Rs.5000/-, in default to undergo simple imprisonment for an another period of three months as default sentence from the date of dishonor, in C.C.No.792 of 2018 on the file of the learned Judicial Magistrate No.I Kulithalai.

3. The learned Principal District Judge, Karur, confirmed the conviction and sentence and partly allowed Crl.A.No.12 of 2023, dated 24.07.2024. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.

4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses. Further, he submitted that the petitioner is ready to deposit 20% of the compensation amount i.e., Rs.2,00,000/- (Rupees Two Lakh Only) to show his bonafide.

5. This Court has carefully considered the rival contentions put forward by either side and also perused the materials available on record.

6. The learned counsel for the petitioner pointed out that there are certain infirmities and inconsistencies in this case, and also there are certain contradictions in material particulars. The fact remains that there are arguable points involved in this



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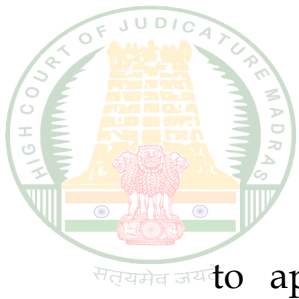
criminal revision and further, the criminal revision is not likely to be taken up for
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final hearing in the near future and as such, and also considering the bonafide
expressed by the petitioner, this Court is of the considered view that the petitioner
herein is entitled to the relief of grant of suspension of sentence.

(*) “7. Since petitioner has already deposited 25% of the compensation i.e.,
an amount of Rs.1,25,000/- to the credit of S.T.C.No.10 of 2021 before District
Munsif cum Judicial Magistrate, Krishnarayapuram, 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 District Munsif cum Judicial Magistrate,
Krishnarayapuram;

(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 District
Munsif cum Judicial Magistrate, Krishnarayapuram, on all
working days at 10.30 a.m., until further orders and if he is not able



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to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 B.N.S.S. (Section 317 of Cr.P.C.) 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."

8. List the matter on 16.09.2025 under the caption "for reporting compliance".

sd/-
19/08/2025

(*)CORRECTED AS PER THE
ORDER OF THIS HON'BLE COURT
DATED 21/08/2025 IN CRL MP
(MD) No.10632 of 2025

/ TRUE COPY /

20/08/2025
Sub-Assistant Registrar
(C.S. IV)
Madurai Bench of Madras High Court,
Madurai - 625 023.

TO BE SUBSTITUTED WITH THE ORDER DATED 19/08/2025 ALREADY
DESPATCHED.

rgm
TO

1 The Princial District Judge,
Karur.



CrI.M.P.(MD).No.10632 of 2025

2 The District Munsif Cum Judicial Magistrate,
Krishnarayapuram.

3 Do Through the Chief Judicial Magistrate,
Karur District.

4 The Superintendent,
Central Prison, Trichy.

+1 CC to M/s.P.RAJAGOPALAN, Advocate (SR-8993[I] dated 20/08/2025)

ORDER
IN
CrI.M.P.(MD).No.10632 of 2025
in
CrI.RC.(MD).No.1033 of 2025
Date :19/08/2025

AS/20.08.2025/5P/6C

PS/21.08.2025 5P/6C

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