



BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 07.08.2025

CORAM
THE HONOURABLE MRS JUSTICE L.VICTORIA GOWRI

CRL MP(MD) NO. 10469 of 2025
IN
CRL RC(MD) NO. 1011 of 2025

M.Rajendran

... Petitioner

Vs.

R.B.Sivaraman

... Respondent

Prayer : This Criminal Miscellaneous Petition is filed under Section 438 of BNSS to enlarge the petitioner on bail by suspending the sentence imposed upon him in S.T.C.No.1787 of 2019 on the file of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District, dated 24.07.2024, which had been confirmed in Crl.A.No.163 of 2024 on the file of the learned I Additional District Judge (FTC), Kumbakonam, Thanjavur District, by judgment dated 22.07.2025, pending disposal of the criminal revision petition.

For Petitioner : M/s.V.Muthulakshmi

ORDER

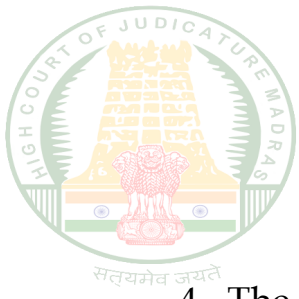
<https://www.mhc.tn.gov.in/judis> This Criminal Miscellaneous Petition has been filed to enlarge the petitioner



on bail by suspending the sentence imposed upon him in S.T.C.No.1787 of 2019 on the file of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District, dated 24.07.2024, which had been confirmed in Crl.A.No.163 of 2024 on the file of the learned I Additional District Judge (FTC), Kumbakonam, Thanjavur District, by judgment dated 22.07.2025, pending disposal of the criminal revision petition.

2. The learned counsel appearing for the petitioner submitted that the petitioner has been convicted by the trial Court on 24.07.2024 for the offence under Section 138 and 142 of the Negotiable Instrument Act, and the trial Court sentenced him to undergo simple imprisonment for a period of one year and to pay a fine amount of Rs.10,00,000/- (Rupees Ten Lakhs only), in default, to undergo simple imprisonment for a period of six months as default sentence from the date of dishonor, in S.T.C.No. 1787 of 2019 on the file of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District.

3. The learned I Additional District Judge (FTC), Kumbakonam, Thanjavur District, confirmed the conviction and sentence, and dismissed the Criminal Appeal No.163 of 2024, dated 22.07.2025. Challenging the same, the present Criminal Revision Case has been filed before this Court along with this Criminal Miscellaneous Petition seeking suspension of sentence.



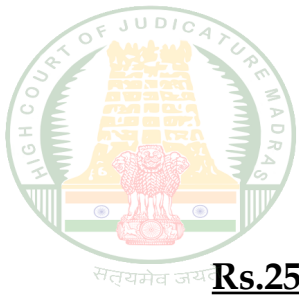
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4. The learned counsel for the petitioner submitted that there are several infirmities in the prosecution case, and also there are contradictions in material particulars between the evidence of the prosecution witnesses. **(*)Further, he submitted that the petitioner has already deposited 10% of the compensation amount (i.e., Rs.1,00,000/-) to the credit of S.T.C.No.1787 of 2019 on the file of the learned Judicial Magistrate No.I, Kumbakonam, Thanjavur District, 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 criminal revision and further, the criminal revision is not likely to be taken up for 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. Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :



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(*)(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 No.I, Kumbakonam, Thanjavur District;

_____ (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 No.I, Kumbakonam, Thanjavur District, on all working days at 10.30 a.m., until further orders.

(*)Altered as per Order of this Court dated 08.08.2025 in CrI.MP(MD)No.10469 of 2025 in CrI.RC(MD) No.1011 of 2025

Sd/

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Assistant Registrar(RTI)

/ /2025

Sub Assistant Registrars CS (I/II/III/IV)

Sml

To

1.The I Additional District Judge (FTC),
Kumbakonam,
Thanjavur District.



2.The Judicial Magistrate No.I, Kumbakonam,
Thanjavur District.

+1cc to M/S.V.Muthulakshmi SR-8510(I) dated 07/08/2025

Crl. MP(MD)No.10469 of 2025
in
CRL RC(MD)No.1011 of 2025

07.08.2025

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