



CRL MP(MD) NO. 11736 of 2025

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CRL MP(MD) NO. 11736 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 01-09-2025

CORAM

THE HONOURABLE MR.JUSTICE SHAMIM AHMED

CRL MP(MD) NO. 11736 of 2025

in

CrI.R.C.(MD) No.817 of 2025

Anuratha

W/o.Dhatchnamoorthy, D.No.A32/536,
Ponnavarayanankottai Village, Pattukottai Taluk, Thanjavur
District.

Petitioner(s)

Vs

Shanmugaraj

S/o.Sankaran, D.No.B/188, New Housing Unit,
Ponnavarayanankottai Village, Pattukottai Taluk, Thanjavur
District.

Respondent(s)

Prayer: To relax the condition imposed on the petitioner in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) N.817 of 2025 dated 08.07.2025.

For Petitioner(s):

Mr.M.Karunanithi

For Respondent(s):

Mr.K.Prabakaran



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ORDER

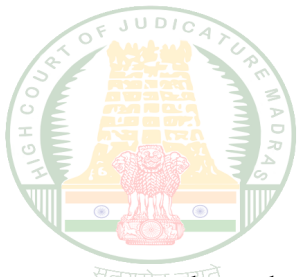
This Criminal Miscellaneous Petition is filed to relax the condition imposed on the petitioner in Crl.M.P.(MD) No.8723 of 2025 in Crl.R.C.(MD) No.817 of 2025, dated 08.07.2025.

2.Heard Mr.M.Karunanithi, learned counsel for the petitioner and Mr.K.Prabakaran, learned counsel for the respondent.

3.The short facts of the case, which are necessary for disposal of the present Criminal Miscellaneous Petition, are as follows:-

i) The respondent/complainant has filed a private complaint against the petitioner under Section 200 of Cr.P.C., in STC.No.116 of 2019 on the file of the learned Judicial Magistrate (Fast Track), Pattukottai. After full trial, the petitioner was found guilty for the offence under Section 138 of Negotiable Instruments Act, 1881 and vide judgment and order, dated 29.03.2021, the petitioner was convicted and sentenced to undergo simple imprisonment for one year and to pay a sum of Rs.4,00,000/- towards compensation to the respondent/complainant within one month, in default, to undergo further simple imprisonment for three months.

ii) Challenging the judgment and order passed in STC.No.116 of 2019, dated 29.03.2021, the petitioner preferred an appeal bearing Crl.A.No.98 of 2021 on the file of the III Additional District and Sessions Court, Thanjavur @ Pattukottai, which



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was also dismissed vide judgment and order dated 10.04.2023. Challenging the same, the petitioner has preferred the above Criminal Revision Case.

4.The Co-ordinate Bench of this Court, while admitting the Criminal Revision Case, vide order dated 08.07.2025, had ordered suspension of sentence in Crl.M.P. (MD) No.8723 of 2025 in Crl.R.C.(MD) No.817 of 2025, with the following directions:-

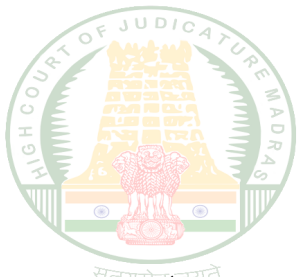
7.Accordingly, this petition is allowed and the substantive sentence of imprisonment alone is suspended pending disposal of the revision with the following directions :

(i) The petitioner shall deposit a sum of Rs.80,000/- [Rupees Eighty Thousand only) to the credit of S.T.C.No.116 of 2019 on the file of the learned Judicial Magistrate (Fast Track), Pattukkottai, on or before 08.08.2025, failing which, the sentence suspended shall automatically dismissed, and the respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) On such deposit, 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), Pattukottai;

(iii) 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

(iv) The petitioner shall appear before the learned Judicial Magistrate



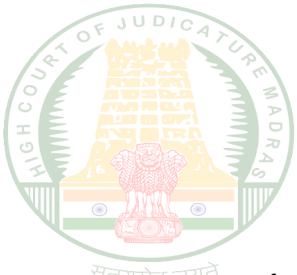
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(Fast Track), Pattukkottai, on all working days at 10.30 a.m., until further orders.

(v) On such deposit, the learned Judicial Magistrate (Fast Track), Pattukkottai; shall re-deposit the said sum in a Nationalised Bank, so that, the amount accrues interest and the same can be disbursed depending upon the outcome of the Criminal Revision Case in CrI.R.C.(MD)No.817 of 2025.”

5.Today, when the matter is being taken up, Mr.M.Karunanithi, learned counsel for the petitioner submits that the petitioner has been complying with the conditions imposed in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025, dated 08.07.2025, without fail. It was further submitted that the petitioner is a widow and it is very difficult for her to travel to Pattukottai and the petitioner has to accompany one person with her, while travelling to Pattukottai, as she is aged about 52 years. Thus, the learned counsel for the petitioner prays this Court that the condition No.(iv) of the order dated 08.07.2025 passed in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025 imposed on the petitioner may be relaxed and the petitioner may be directed to appear before the Judicial Magistrate (Fast Track), Pattukottai once in a month.

6.Mr.K.Prabakaran, learned counsel for the respondent fairly submits that the petitioner has been complying with the conditions imposed in CrI.M.P.(MD)



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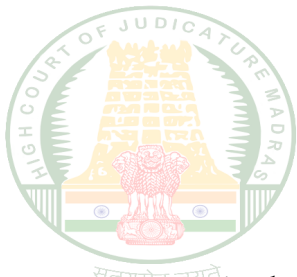
No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025, dated 08.07.2025 regularly.
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However, he submits that the conditions imposed in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025, dated 08.07.2025, are justified and made objection for relaxing the condition No.(iv) of the order dated 08.07.2025. He did not dispute the fact that the petitioner is a old widow lady.

7.Accordingly, after considering the arguments as advanced by the learned counsel for the parties and after perusal of the order passed by the Co-ordinate Bench of this Court in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025, dated 08.07.2025 and after perusal of the affidavit filed by the petitioner in support of the prayer made for relaxation of condition No.(iv) of the order dated 08.07.2025 and also considering the fact that the petitioner is a old widow lady, this Court is inclined to relax the condition No.(iv) of the order dated 08.07.2025 passed in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025 as follows:-

“The petitioner shall appear before the Judicial Magistrate (Fast Track) Court, Pattukkottai, once in a month ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

Rest of the conditions imposed in CrI.M.P.(MD) No.8723 of 2025 in CrI.R.C.(MD) No.817 of 2025, dated 08.07.2025 are unaltered.



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8. With the above modification, this Criminal Miscellaneous Petition is finally disposed of.

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

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To

1. The Judicial Magistrate (Fast Track), Pattukkottai.
2. Do through the Chief Judicial Magistrate, Thanjavur@ kumbakonam.
3. The III Additional District and Sessions Judge,
Thanjavur @ Pattukottai.

ORDER
IN
CRL MP(MD) NO. 11736 of 2025
in
Crl.R.C.(MD) No.817 of 2025
Date :01/09/2025

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