



CRL.R.C.(MD)No.1206 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 01.09.2025

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THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.R.C.(MD)No.1206 of 2025

R.Selvaraj

... Petitioner

vs.

M.Vijayakannan

... Respondent

**PRAYER:** Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to set aside the order, dated 31.07.2025 passed by the Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur made in Clr.M.P.No.2541 of 2025 in C.A.No.62 of 2025 imposing condition upon the petitioner to deposit a sum of Rs.3,00,000/- before the trial Court within two weeks in suspend the sentence imposed by the Judicial Magistrate, Fast Track, Srivilliputhur in S.T.C.No.515 of 2022, dated 10.06.2025.

For Petitioner

:Mr.E.Sathish Kumar

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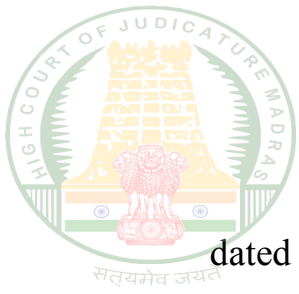
## **ORDER**

This Criminal Revision Petition is directed against the judgment and order, dated 31.07.2025, passed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur made in Clr.M.P.No.2541 of 2025 in C.A.No.62 of 2025, by which the petitioner was directed to deposit a sum of Rs.3,00,000/- before the trial Court within two weeks in suspending the sentence imposed by the learned Judicial Magistrate, Fast Track Court, Srivilliputhur in S.T.C.No.515 of 2022, dated 10.06.2025.

2.The short facts of the case, which are necessary for disposal of the present Criminal Revision Case, are as follows:-

i)The respondent/complainant has filed a private complaint against the petitioner under Section 200 of Cr.P.C., in S.T.C.No.515 of 2022 on the file of the Judicial Magistrate (Fast Track) Court, Srivilliputhur. After full trial, the petitioner was found guilty for the offence under Section 138 of Negotiable Instruments Act, 1881 and vide judgment and order,

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dated 10.06.2025, the learned Judicial Magistrate (Fast Track),  
Srivilliputhur, passed the following order:

*“In the result, the Accused is found guilty of Offence under Section 138 of Negotiable Instruments Act, 1881, as per Section 255(2) of Code of Criminal Procedure and the Accused is convicted and sentenced to undergo One Year Simple Imprisonment and the Accused is also directed to pay Compensation of Rs. 6,00,000/- (Rupees Six Lakhs Only) with Simple Interest at the rate of 12% Per Annum, from the date of Cheque until realization, not exceeding Rs.6,00,000/- (Rupees Six Lakhs Only), to the Complainant under Section 357(3) of the Code of Criminal Procedure, within One Month from today, in default, the Accused shall undergo One Month Simple Imprisonment.”*

ii) Challenging the judgment and order passed in S.T.C.No.515 of 2022, dated 10.06.2025, the petitioner has preferred an appeal bearing C.A.No.62 of 2025 on the file of the Principal District and Sessions Court, Virudhunagar District at Srivilliputhur. The learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, vide judgment and order, dated 31.07.2025 in CrI.M.P.No.251 of 2025 in C.A.No.62 of 2025, ordered suspension of sentence, with certain conditions. Among the other conditions, the petitioner was directed to



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pay a sum of Rs.3,00,000/- within two weeks before the trial Court.

Challenging the said condition, the petitioner has preferred the present Criminal Revision Case.

3.Mr.S.Pandiyaraj, learned Counsel for the petitioner submitted that without considering the facts and circumstances of the case and the relevant materials available on record, the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, has imposed the said condition upon the petitioner, which is not in accordance with law. Thus, it was prayed by the learned Counsel for the petitioner that the condition imposed by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur, directing the petitioner to pay a sum of Rs.3,00,000/- within two weeks, may be quashed.

4.I have perused the order, dated 31.07.2025, passed in Crl.M.P.No.251 of 2025 in C.A.No.62 of 2025, by the learned Principal District and Sessions Judge, Virudhunagar District at Srivilliputhur.



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5.From the perusal of the order, dated 31.07.2025, in Crl.M.P.No. 251 of 2025 in C.A.No.62 of 2025, it is seen that the imprisonment of sentence ordered by the the learned Judicial Magistrate, Fast Track, Srivilliputhur in S.T.C.No.515 of 2022, vide judgment and order, dated 10.06.2025, was suspended till the disposal of the appeal, based on the undertaking given by the petitioner that he will deposit 50% of the compensation amount before the trial Court within two weeks. However, now the learned Counsel for the petitioner prays this Court that the said condition imposed upon the petitioner to deposit a sum of Rs.3,00,000/- within two weeks before the trial Court may be quashed, which is contrary to the undertaking given by the petitioner before the first appellate Court.

6.Thus, this Court do not find any justification to alter the order of the learned Principal District and Sessions Judge, Virudhunagar District, dated 31.07.2025, passed in Crl.M.P.No.2541 of 2025 in C.A.No.62 of 2025 and to entertain the present Criminal Revision Case, as the present Criminal Revision Case lacks merits.



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7. Accordingly, the Criminal Revision Case stands dismissed. The petitioner is directed to comply with all the conditions imposed by the Principal District and Sessions Court, Srivilliputhur in Crl.M.P.No.251 of 2025 in C.A.No.62 of 2025, dated 31.07.2025, without fail.

Index :Yes / No  
Internet :Yes / No  
NCC :Yes / No

**01.09.2025**

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To

- 1.The Principal District and Sessions Judge,  
Virudhunagar District at Srivilliputhur.
- 2.The Judicial Magistrate, Fast Track, Srivilliputhur.



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**SHAMIM AHMED, J.**

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