



CRL.M.P.(MD)No.12584 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 13.10.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.M.P.(MD)No.12584 of 2025

in

CRL.R.C.(MD)No.984 of 2025

Ilanchezian,
S/o.Panneerselvam,
7th Ward, MGR Nagar,
Pattiveeranpatti, Dindigul District.

... Petitioner

vs.

Manoharan,
S/o.Duraichamy Gounder,
Devarappanpatti Pirivu and Post,
Dindigul Taluk, Dindigul District.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 439(1) (b) r/w 482 of Cr.P.C., to relax the condition to appear before the leaned Judicial Magistrate, Nilakottai on all working days at 10.30 a.m., imposed upon the petitioner in CrI.M.P.(MD)No.10286 of 2025 in CrI.A.No.39 of 2022 on 25.08.2025.

For Petitioner :Mr.R.Sridhar
For Respondent :Mr.R.Thangapandian



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ORDER

This Criminal Miscellaneous Petition has been filed to relax the condition to appear before the learned Judicial Magistrate, Nilakottai on all working days at 10.30 a.m., imposed upon the petitioner in Crl.M.P. (MD)No.10286 of 2025 in Crl.A.No.39 of 2022 on 25.08.2025.

2.The Criminal Revision Case has been filed to set aside the judgment, dated 22.07.2022 made in C.C.No.210 of 2007 on the file of the Judicial Magistrate Court, Nilakottai, as confirmed by the judgment, dated 03.01.2025 made in Crl.A.No.39 of 2022 on the file of the Principal District and Sessions Court, Dindigul, whereby the Revision Petitioner was convicted by the trial Court for the offence under Section 138 of Negotiable Instrument Act, and the trial Court sentenced him to undergo simple imprisonment for a period of three months and to pay a compensation of Rs.1,50,000/-, in default, to undergo simple imprisonment for a period of one month and the same was confirmed by the lower Appellate Court.



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3.The Co-ordinate Bench of this Court, while granting suspension of sentence imposed the following conditions in CrI.M.P.(MD)No.10286 of 2025 in CrI.R.C.(MD)No.984 of 2025, vide order, dated 05.08.2025:

(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, Nilakkottai ;

(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, Nilakkottai, daily at 10.30 a.m., until further orders.

4.Today, when the matter is being taken up, Mr.R.Sridhar, learned Counsel for the petitioner submits that the petitioner has been complying with the conditions imposed in CrI.M.P.(MD)No.10286 of 2025 in CrI.R.C.(MD)No.984 of 2025, dated 05.08.2025, without fail. It was further submitted that the petitioner is an aged person and is the sole breadwinner of his family . Thus, the learned Counsel for the petitioner



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prays this Court that the condition No.(iii) of the order dated 05.08.2025 passed in Crl.M.P.(MD)No.10286 of 2025 in Crl.R.C.(MD)No.984 of 2025, imposed on the petitioner may be relaxed and the petitioner may be directed to appear before the Judicial Magistrate Court, Nilakottai, once in a month.

5.Mr.R.Thangapandian, learned Counsel appearing for the respondent fairly submits that the petitioner has been complying with the conditions imposed in Crl.M.P.(MD)No.10286 of 2025 in Crl.R.C.(MD)No.984 of 2025, dated 05.08.2025 regularly. However, he submits that the conditions imposed in Crl.M.P.(MD)No.10286 of 2025 in Crl.R.C.(MD)No.984 of 2025, dated 05.08.2025, are justified and made objection for relaxing the condition No.(iii) of the order, dated 05.08.2025.

6.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 Crl.M.P.(MD)No.10286 of 2025 in Crl.R.C.(MD)No.984 of 2025, dated 05.08.2025 and after perusal of



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the affidavit filed by the petitioner in support of the prayer made for relaxation of condition No.(iii) of the order dated 05.08.2025 and also considering the fact that the petitioner is the sole breadwinner of his family, this Court is inclined to relax the condition No.(iii) of the order dated 05.08.2025 passed in Crl.M.P.(MD)No.10286 of 2025 in Crl.R.C.(MD)No.984 of 2025, as follows:-

“The petitioner shall appear before the learned Judicial Magistrate, Nilakottai, once in a month with effect from November, 2025, ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

7.Rest of the conditions imposed in Crl.M.P.(MD)No.10286 of 2025 in Crl.R.C.(MD)No.984 of 2025, dated 05.08.2025, are unaltered.

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

13.10.2025

Nsr

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- 1.The Principal District and Sessions Court, Dindigul.
- 2.The Judicial Magistrate, Nilakottai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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SHAMIM AHMED, J.

Nsr

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