

CRL MP(MD) NO. 13331 of 2025  
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 25-09-2025

CORAM

**THE HONOURABLE MR.JUSTICE SHAMIM AHMED**

**CRL MP(MD) NO. 13331 of 2025**

**in**

**Crl.R.C.(MD) No.659 of 2025**

Balaji

S/o. Ramachandran, W.Pudhupatti Village and Post,  
Watrap Taluk, Virudhunagar District.

Petitioner(s)

Vs

Paldurai

S/o.Packiyathan, North Street, Kottaipatti, Srivilliputhur Taluk.

Respondent(s)

**Prayer:** C-60. To relax the condition totally imposed in Crl.M.P.(MD) No.7410 of 2025 in Crl.R.C.(MD) No.659 of 2025 dated 24.07.2025 and thus render justice.

**For Petitioner(s):**

Mr.R.Karunanidhi

**ORDER**

This Criminal Miscellaneous Petition is filed to relax the condition imposed on the petitioner in Crl.M.P.(MD) No.7490 of 2025 in Crl.R.C.(MD) No.659 of 2025, dated 24.07.2025.



2. Heard Mr.R.Karunanidhi, learned counsel for the petitioner.

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

- i) The petitioner borrowed a sum of Rs.3,00,000/- from the respondent on 15.03.2021 agreeing to repay the same and had given a cheque, dated 03.07.2021 bearing number 728382 for a sum of Rs.3,00,000/-. When the respondent had presented the cheque for collection on 09.07.2021, the same was returned with an endorsement “insufficient funds”. Therefore, the respondent had sent a legal notice on 22.07.2021 to the petitioner, demanding repayment of the aforesaid amount and despite receiving the same, the petitioner neither sent a reply nor repaid the said amount. Therefore, the respondent has filed a private complaint for the offence under Section 138 of Negotiable Instruments Act, 1881, against the petitioner.
- ii) The learned Judicial Magistrate (FTC), Srivilliputhur, after trial, had convicted the petitioner in C.C.No.129 of 2022 for the offence punishable under Section 138 of Negotiable Instruments Act, 1881 and sentenced him to undergo simple imprisonment for a period of two years and also directed to pay a compensation of Rs.3,00,000/-, in default, to undergo simple imprisonment for a period of three months.
- iii) Challenging the above said conviction and sentence, the petitioner has filed an appeal

in CrI.A.No.174 of 2022 before the Principal District and Sessions Court, Virudhunagar



District at Srivilliputhur. The learned Principal District and Sessions Judge, Vir

District at Srivilliputhur, by confirming the conviction and sentence, dismissed the appeal.

Challenging the same, the petitioner has preferred the present Criminal Revision Case.

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4.The Co-ordinate Bench of this Court, while admitting the Criminal Revision Case, vide order dated 24.07.2025, had ordered suspension of sentence in CrI.M.P.(MD) No.7490 of 2025 in CrI.R.C.(MD) No.659 of 2025, 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 Fast Track Judicial Magistrate, Srivilliputtur ;*
- (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 Fast Track Judicial Magistrate, Srivilliputtur, daily at 10.30 a.m., until further orders. ”*

5.Today, when the matter is being taken up, Mr.R.Karunanidhi, learned counsel for the petitioner submits that the petitioner has been complying with all the conditions imposed by the Co-ordinate Bench of this Court in CrI.M.P.(MD) No.7490 of 2025 in CrI.R.C.(MD) No.659 of 2025, dated 24.07.2025, without fail. It was further submitted

that the petitioner has been affected with several ailments. Thus, the learned counsel for the petitioner prays this Court that the condition No.(iii) of the order dated 24.07.2025



passed in CrI.M.P.(MD) No.7490 of 2025 in CrI.R.C.(MD) No.659 of 2025 in which the petitioner may be relaxed and the petitioner may be directed to appear before the trial Court, once in a month.

## WEB COPY

6. Accordingly, after considering the arguments as advanced by the learned counsel for the petitioner and after perusal of the order passed by the Co-ordinate Bench of this Court in CrI.M.P.(MD) No.7490 of 2025 in CrI.R.C.(MD) No.659 of 2025, dated 24.07.2025 and after perusal of the affidavit filed by the petitioner in support of the prayer made for relaxation of condition No.(iii) of the order dated 24.07.2025, this Court is inclined to relax the condition No.(iii) of the order dated 24.07.2025 passed in CrI.M.P.(MD) No. 7490 of 2025 in CrI.R.C.(MD) No.659 of 2025 as follows:-

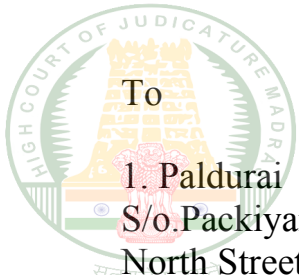
“The petitioner shall appear before the learned Fast Track Judicial Magistrate, Srivilliputtur, once in a month commencing from October, 2025, ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

Rest of the conditions imposed in CrI.M.P.(MD) No.7490 of 2025 in CrI.R.C.(MD) No. 659 of 2025, dated 24.07.2025 are unaltered.

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

**25-09-2025**

cmr



To

1. Paldurai  
S/o.Packiyanathan,  
North Street,  
Kottaipatti,  
Srivilliputhur Taluk.

