



CRL MP(MD). Nos.20066 & 20067 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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Dated : 17/12/2025

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THE HONOURABLE MR. JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD). Nos.20066 & 20067 of 2025

in

Crl.R.C.(MD)No.1616 of 2025

N. Shanmugam,

... Petitioner

Vs.

M.P. Balu

... Respondent

PRAYER for Crl.M.P(MD)No.20066/2025:-

To Suspend the Sentence passed by the Learned V Additional District and Sessions Judge, Madurai in C.A.No.06 of 2021 dated 14.08.2025, whereby confirming the conviction and sentence imposed upon the petitioner by the Court of Judicial Magistrate No.I, FTC at Magistrate Level, Madurai, in S.T.C.No.16 of 2017 dated 10.12.2020 and releasing him on bail pending disposal of the main Criminal Revision Petition.

PRAYER for Crl.M.P(MD)No.20067/2025: :-

To exempt the petitioner from surrender before the Learned V Additional District and Sessions Judge, Madurai in C.A.No.06 of 2021 dated 14.08.2025, whereby confirming the conviction and sentence



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imposed upon the petitioner by the Court of Judicial Magistrate No.I, FTC at Magistrate Level, Madurai, in S.T.C.No.16 of 2017 dated 10.12.2020 and releasing him on bail pending disposal of the main Criminal Revision Petition.

For Petitioner : Mr.R. Murugappan,
Advocate.

COMMON ORDER

Heard Mr.R. Murugappan, learned Counsel for the petitioner.

2.Criminal Miscellaneous Petitions have been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate No.I, Fast Track Court at Magistrate Level, Madurai, in S.T.C.No.16 of 2017 dated 10.12.2020, which was confirmed by V Additional District and Sessions Judge, Madurai, in C.A.No.06 of 2021 dated 14.08.2025 and to exempt the petitioner from surrendering before the Court below.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate No.I, Fast Track Court at Magistrate



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Level, Madurai, for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.16 of 2017 dated 10.12.2020 and sentenced him to undergo six months Simple Imprisonment and to pay compensation of Rs.5,00,000/- to respondent and in default, to undergo further one month simple imprisonment. Aggrieved, petitioner filed criminal appeal in Crl.A.No.06 of 2021 before V Additional District and Sessions Judge, Madurai and the lower Appellate Court, by the judgment dated 14.08.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C. (MD)No.1616 of 2025 before this Court along with the instant miscellaneous petitions seeking suspension of sentence, bail and exemption from surrender.

4.Learned Counsel for petitioner would further submit that petitioner has raised substantial grounds in the above revision, which requires consideration; and that to show his bonafides, petitioner is willing to deposit 50% of the cheque amount, before the trial Court. Hence, he prayed for granting suspension of sentence to the petitioner.



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5.Considering the fact that there are arguable points raised in revision and taking into consideration, facts and circumstances of the case and that it is likely to take a while before the revision is finally heard¹, this Court is inclined to grant suspension of sentence, bail and exempt the petitioner from surrendering before the trial court, on the following conditions, till the disposal of the above Criminal Revision:

i) Petitioner is directed to deposit 50% of cheque amount to the credit of S.T.C.No.16 of 2017 on the file of Judicial Magistrate No.I, Fast Track Court at Magistrate Level, Madurai, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence suspended shall stand automatically vacated and respondent is at liberty to execute the sentence imposed by the trial Court against the petitioner in the manner known to law;

(ii) Any amount already paid shall be deducted while reckoning 50% of cheque amount directed in clause (i);

(iii) On such deposit, petitioner is directed to be enlarged on bail on his executing a bond for a sum of Rs.10,000/- (Rupees Ten Thousand

¹ Atul Alias Ashutosh vs State of Madhya Pradesh, (2024) 3 SCC 663



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only) with two sureties each for a like sum to the satisfaction of Judicial Magistrate No.I, Fast Track Court at Magistrate Level, Madurai;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a copy of their Aadhaar card or Bank pass Book to ensure their identity;

v) Petitioner shall appear and sign before Judicial Magistrate No.I, Fast Track Court at Magistrate Level, Madurai, on the first working day of every month at 10.30 a.m., until the disposal of the revision;

vi) In case, if petitioner is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 317 Cr.P.C. (corresponding to 355 B.N.S.S) and shall appear before the trial Court on any other day in lieu of the date of his absence, as directed by the trial Court.

6. Accordingly, these Criminal Miscellaneous Petitions are ordered.

17-12-2025

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MOHAMMED SHAFFIQ,J

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To

1. The V Additional District and Sessions Judge,
Madurai.
- 2.The Judicial Magistrate No.I,
Fast Track Court at Magistrate Level,
Madurai.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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