



CRL.M.P.(MD)No.15867 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 31.10.2025

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.M.P.(MD)No.15867 of 2025

in

CRL.M.P.(MD)No.7513 of 2025

in

CRL.R.C.(MD)No.683 of 2025

Karuppiah @ Senthil,
S/o.Sethuraman,
952, North 3rd Street, Pudukottai.

... Petitioner

vs.

Vedha Narayanan,
S/o.Ramasamy,
964, Periyar Nagar, Pudukottai.

... Respondent

PRAYER: Criminal Miscellaneous Petition is filed under Section 528 of BNSS, 2023, to relax the condition imposed on the petitioner by the order, dated 23.06.2025 in CrI.M.P.(MD)No.7513 of 2025 in CrI.R.C.(MD)No.683 of 2024 on the file of this Court.

For Petitioner :Mr.A.Mohan
For Respondent :Mr.J.Sankarapandian



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ORDER

This Criminal Miscellaneous Petition is filed to relax the condition in Paragraph No.7(iii) imposed by the Co-ordinate Bench of this Court in CrI.M.P.(MD)No.7513 of 2025 in CrI.R.C.(MD)No.683 of 2025, dated 23.06.2025.

2.Heard Mr.A.Mohan, learned Counsel for the petitioner and Mr.J.Sankarapandian, 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:-

a)the petitioner has borrowed a loan of Rs.1,75,000/- from the respondent on 24.06.2016 agreeing to repay the same within one month and had given cheque bearing number.212494 issued for an amount of Rs.1,75,000/-. When the respondent has presented the cheque for collection on 25.07.2017, the same was returned with reason “Insufficient funds” on 26.07.2017. Hence, the respondent has sent a legal notice on 07.08.2017 to the petitioner demanding repayment of the



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amount covered by the cheque. Despite receiving the same, the petitioner neither sent reply notice nor repaid the amount and that therefore, the respondent has filed a private complaint for the offence under Section 138 of Negotiable Instruments Act against the petitioner before the Judicial Magistrate Court No.I, Pudukottai.

b)The learned trial Judge, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment in S.T.C.No.811 of 2017, dated 24.06.2024 convicting the petitioner for the offences under Section 138 of Negotiable Instruments Act, 1881, and sentenced him to undergo simple imprisonment for a period of six months and also directed to pay a compensation of Rs.1,75,000/-. Challenging the above said conviction and sentence, the petitioner has filed an appeal in Crl.A.No.14 of 2023 on the file of the Additional District and Sessions Court, Pudukottai and the learned Additional District and Sessions Judge, Pudukottai, by confirming the conviction and sentence, dismissed the appeal. Aggrieved by 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 23.06.2025, had ordered suspension of sentence in CrI.M.P.(MD)No.7513 of 2025 in CrI.R.C.(MD)No.683 of 2025, with the following directions:-

“7.In the result, the Criminal Miscellaneous Petition is ordered. Accordingly, the relief of suspension of sentence is granted to the petitioner on the following conditions:-

(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 Additional District and Sessions Judge, Pudukottai;

(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 trial Court daily at 10.30 a.m., until further orders and if he is not able to appear before the trial Court on any day, he shall make arrangements to file an application under Section 355 B.N.S.S. (Section 317 of Cr.P.C.) 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.”



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5.Today, when the matter is being taken up, Mr.A.Mohan, learned Counsel for the petitioner submits that the petitioner has been complying with the conditions imposed in Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025, dated 23.06.2025, without fail. It was further submitted that due to the aforesaid condition, the petitioner is not able to attend his regular work and he is the sole breadwinner of his family. Thus, the learned Counsel for the petitioner prays this Court that the condition in Paragraph No.7(iii) of the order dated 23.06.2025 passed in Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025 imposed on the petitioner may be relaxed and the petitioner may be directed to appear before the trial Court once in a month.

6.Mr.J.Sankarapandian, learned Counsel for the respondent fairly submits that the petitioner has been complying with the conditions imposed in Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025, dated 23.06.2025 regularly. However, he submits that the conditions imposed in Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025, dated 23.06.2025, are justified and made objection



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for relaxing the condition in Paragraph No.7(iii) of the order, dated 23.06.2025.

7. 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 Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025, dated 23.06.2025 and after perusal of the affidavit filed by the petitioner in support of the prayer made for relaxation of condition in Paragraph No.7(iii) of the order, dated 23.06.2025, this Court is inclined to relax the condition in Paragraph No. 7(iii) of the order, dated 23.06.2025, passed in Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025, as follows:-

“The petitioner shall appear before the Judicial Magistrate Court No.I, Pudukottai, once in a month with effect from December, 2025, ie., on the first working day of Every English Calendar month at 10.30 a.m., until further orders.”

8. Rest of the conditions imposed in Crl.M.P.(MD)No.7513 of 2025 in Crl.R.C.(MD)No.683 of 2025, dated 23.06.2025, are unaltered.



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

31.10.2025

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To

1. The Additional District and Sessions Judge, Pudukottai.

2. The Judicial Magistrate No.I, Pudukottai.



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SHAMIM AHMED, J.

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