



CRL.R.C.(MD)No.1320 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

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DATED: 14.10.2025

CORAM

THE HONOURABLE MR.JUSTICE **SHAMIM AHMED**

CRL.R.C.(MD)No.1320 of 2025

A.Muthaiah,
S/o.M.R.Alagar Samy,
No.19, Ammatchiyamman Kovil Street,
Kochadai, Madurai 625 016.

... Petitioner

VS.

N.Ravikumar,
S/o.Narasingamoorthy,
No.14/05, Singampidari Kovil 1st Street,
Konnaveyan Salai, Madurai 18.

... Respondent

PRAAYER: Criminal Revision Petition is filed under Section 438 r/w 442 of BNSS, 2023, to call for the records relating to the impugned order passed in CrI.M.P.No.4117 of 2025 in CrI.A.No.132 of 2025 dated 09.09.2025 on the file of the Principal Sessions Court, Madurai and set aside the same as illegal.

For Petitioner :Mr.S.M.Kadhar



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ORDER

The present Criminal Revision Petition has been filed with the following prayer:

“to call for the records relating to the impugned order passed in Crl.M.P.No.4117 of 2025 in Crl.A.No.132 of 2025 dated 09.09.2025 on the file of the Principal Sessions Court, Madurai and set aside the same as illegal.”

2.Heard Mr.S.M.Kadhar, learned Counsel for the petitioner.

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

a)The petitioner has borrowed a loan of Rs.3,00,000/- from the respondent for his business development on 01.10.2018 agreeing to repay the same within a period of three months and had issued a cheque bearing No.308144 drawn at ICICI Bank, Kochadai Branch, Madurai in favour of the complainant for a sum of Rs.3,00,000/-. When the respondent has presented the cheque for collection, the same was returned with an endorsement "Funds insufficient". The respondent has



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sent a legal notice on 29.08.2019 to the petitioner demanding repayment of the amount covered by the cheque and the same was received by the petitioner on 30.08.2019. However, the petitioner has neither given a reply nor repaid the loan amount. Therefore, the respondent has filed a private complaint for the offence under Section 138 of Negotiable Instruments Act, 1881, against the petitioner.

b)The learned Judicial Magistrate No.1, (FTC), Madurai, upon considering the evidence both oral and documentary and on hearing the arguments of both the sides, has passed a judgment dated 02.08.2025 convicting the petitioner for the offences under Section 138 of the Negotiable Instruments Act, 1881, and sentenced him to undergo simple imprisonment for a period of one year and also directed to pay the cheque amount of Rs.3,00,000/-, in default, to undergo simple imprisonment for a period of three months. Challenging the above said conviction and sentence, the petitioner has filed an appeal in CrI.A.No.132 of 2025 on the file of the Principal Sessions Court, Madurai, and the learned Principal Sessions Judge, Madurai, while granting suspension of sentence in CrI.M.P.No.4117 of 2025 in CrI.A.No.132 of 2025, vide order, dated 09.09.2025, had issued the following directions:



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“1.The petitioner is directed to deposit 20% of the compensation amount before the learned Judicial Magistrate No1., Fast Track Court, Madurai, within a month.

2.Thereafter, the petitioner shall execute a bond for Rs. 10,000/- with two sureties for a like sum each to the satisfaction of the learned Judicial Magistrate No.1, Fast Track Court, Madurai.

3.The petitioner/accused shall appear before the V Additional District and Sessions Judge, Madruai, on 09.10.2025 and on further hearings without fail.”

4.Aggrieved by the condition No.1 imposed by the learned Principal Sessions Judge, Madurai, vide order, dated 09.09.2025, in CrI.M.P.No.4117 of 2025 in CrI.A.No.132 of 2025, the petitioner has preferred the present Criminal Revision Case.

5.Today, when the matter is being taken up, the learned Counsel for the petitioner submits that the petitioner is ready to deposit 20% of the compensation amount, as directed by the learned Principal Sessions Judge, Madurai and for that purpose, the petitioner may be given some further time, as he is undergoing some financial distress.

6.After considering the arguments, as advanced by the learned Counsel for the petitioner and after perusal of the order passed by the



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learned Principal Sessions Judge, Madurai, in Crl.M.P.No.4117 of 2025

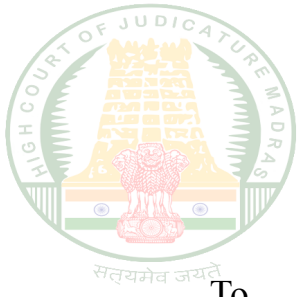
in Crl.A.No.132 of 2025 dated 09.09.2025, this Court grants 45 days further time from today to the petitioner to deposit 20% of the compensation amount, as directed by learned Principal Sessions Judge, Madurai, in Crl.M.P.No.4117 of 2025 in Crl.A.No.132 of 2025 dated 09.09.2025, before the Judicial Magistrate Court (Fast Track Court), Madurai. In case, if the petitioner fails to deposit the aforesaid amount within the time stipulated by this Court, the learned Principal Sessions Judge, Madurai, is at liberty to proceed in accordance with law against the petitioner.

7. With the above directions, this Criminal Revision Case is finally **disposed of**. The file consigned to record. No costs.

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

14.10.2025

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- 1.The Principal Sessions Judge, Madurai.
- 2.The Judicial Magistrate No.1, (FTC), Madurai.



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SHAMIM AHMED, J.

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