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CRL MP(MD) NO. 19686 of 2025

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 11-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NOs. 19686 and 19688 of 2025

IN

CRL RC(MD) NO. 1580 OF 2025

L.P.Gururajappa

Petitioner(s)
for both cases

Vs

G.K.Ramesh

Respondent(s)
for both cases

For Petitioner(s):

Mr.K.Dinesh
for both cases

Prayer for CRL MP(MD) NO. 19686 of 2025:

To suspend the sentence to the revision petitioner/sole accused against the concurrent finding of the judgment in CrI.A.No.155/2023 dated 25.07.2025 on the file of the learned VI Additional District and Sessions Judge, Madurai confirming the order passed in S.T.C.No. 137/2017 on the file of Judicial Magistrate No.I, FTC at ML, Madurai, till the disposal of the Criminal Revision Petition.

Prayer for CRL MP(MD) NO. 19688 of 2025:



To exemption from surrender to the petitioner against the concurrent finding of the judgment in Crl.A.No.155/2023 dated 25.07.2025 on the file of the learned VI Additional District and Sessions Judge, Madurai confirming the order passed in STC No.137 of 2017 on the file of the learned Judicial Magistrate No.I, FTC at ML, Madurai till the disposal of the instant Criminal Revision Petition.

COMMON ORDER

Heard Mr.K.Dinesh 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, FTC at Magisterial Level, Madurai in S.T.C.No.137 of 2017 dated 27.11.2023, which was confirmed by VI Additional District and Sessions Judge, Madurai in Crl.A.No.155 of 2023, dated 25.07.2025 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, FTC at Magisterial Level, Madurai for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.137 of 2017 dated 27.11.2023 and sentenced him to undergo



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one year Simple Imprisonment and to pay compensation of Rs. 15,90,000/- to respondent. Aggrieved, petitioner filed criminal appeal in CrI.A.No.155 of 2023 before VI Additional District and Sessions Judge, Madurai and the lower Appellate Court, by the judgment dated 25.07.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed CrI.R.C.(MD)No. 1580 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.

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



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heard¹, this Court is inclined to grant suspension of sentence 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.137 of 2017 dated 27.11.2023 on the file of Judicial Magistrate No.I, FTC at Magisterial 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 only) with two sureties each for a like sum to the satisfaction of VI Additional District and Sessions Judge, Madurai District;

iv) Petitioner and sureties shall affix their photographs and Left Thumb Impression in the bond and the above said Court may obtain a

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



copy of their Aadhaar card or Bank pass Book to ensure their identity;

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v) Petitioner shall appear and sign before VI Additional District and Sessions Judge, Madurai District, 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.

11-12-2025

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Note: Issue order copy on .12.2025

To

1. The VI Additional District and Sessions Judge,
Madurai District .



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