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CRL MP(MD) NO.19566 of 2025
BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 10-12-2025

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THE HONOURABLE MR JUSTICE MOHAMMED SHAFFIQ

CRL MP(MD) NO.19566 of 2025

IN

CRL RC(MD) NO. 1562 of 2025

K.Renuka
W/o. Kalins Saji

Petitioner(s)

Vs

Chella Thurai
S/o. Thangaraj

Respondent(s)

For Petitioner(s):

Mr.A.Balakrishnan

Prayer for Crl.M.P(MD)No.19566 of 2025:

to Suspend the sentence imposed by Learned Judicial Magistrate Fast Track Court (Magisterial Level), Nagercoil in S.T.C. No. 124/2017 dt. 18.07.2023 confirmed by Learned Additional District and Sessions Court (Fast Track Court), Nagercoil in Crl.A.No.21 of 2023 dated 04.09.2025 till the disposal of revision petition.

ORDER

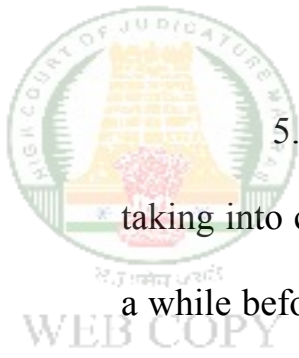
Heard Mr.A.Balakrishnan learned Counsel for the petitioner.



2.Criminal Miscellaneous Petition has been filed praying to suspend the sentence imposed upon petitioner by Judicial Magistrate, Fast Track Court (Magisterial Level), Nagercoil in S.T.C.No.124 of 2017 dated 18.07.2023, which was confirmed by Additional District and Sessions Court (Fast Track Court), Nagercoil in Crl.A.No.81 of 2023, dated 04.09.2025.

3.Learned counsel for petitioner would submit that petitioner was convicted by Judicial Magistrate, Fast Track Court (Magisterial Level), Nagercoil for offence under Section 138 of the Negotiable Instruments Act in S.T.C.No.124 of 2017 dated 18.07.2023 and sentenced him to undergo three months Simple Imprisonment and to pay compensation of Rs.2,60,000/- to respondent. Aggrieved, petitioner filed criminal appeal in Crl.A.No.81 of 2023 before Additional District and Sessions Judge (FTC), Kanniyakumari at Nagercoil and the lower Appellate Court, by the judgment dated 04.09.2025 dismissed the appeal confirming the conviction and sentence passed by the trial Court. Aggrieved, petitioner filed Crl.R.C.(MD)No.1562 of 2025 before this Court along with the instant miscellaneous petition seeking suspension of sentence and bail.

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, and bail.



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 and bail, on the following conditions, till the disposal of the above Criminal Revision:

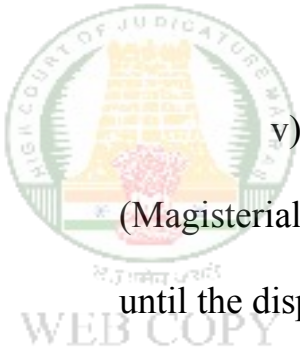
i) Petitioner is directed to deposit 50% of cheque amount to the credit of S.T.C.No.124 of 2017 dated 18.07.2023 on the file of Judicial Magistrate, Fast Track Court (Magisterial Level) Nagercoil, within a period of four weeks from the date of receipt of a copy of this order, failing which the sentence 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 Judicial Magistrate, Fast Track Court (Magisterial Level), Nagercoil;

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;

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



v) Petitioner shall appear and sign before Judicial Magistrate Fast Track Court (Magisterial Level), Nagercoil, 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, this Criminal Miscellaneous Petition is **ordered**.

10-12-2025
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Note: Issue order copy on 12.12.2025



To

1. The Judicial Magistrate Fast Track Court,
(Magisterial) Level, Nagercoil.

2. The Additional District and Sessions Court,
Fast Track Court,
Nagercoil.

3. The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.



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MOHAMMED SHAFFIQ, J

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in
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Date : 10/12/2025

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